

By Mr. STEAGALL: Memorial of Woman's Christian Temperance Union of Clayton, Ala., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SWEET: Petition of employees of post offices of Cedar Falls and Eagle Grove, Iowa, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. TAYLOR of Arkansas (by request): Two petitions of sundry railway mail clerks, post-office clerks, and rural carriers, of Hot Springs, Ark., for higher wages; to the Committee on the Post Office and Post Roads.

Also (by request), petition of Van D. Fowler and others, of Hot Springs, Ark., for an embargo on food and munitions; to the Committee on Interstate and Foreign Commerce.

By Mr. TIMBERLAKE: Petitions of employees of the post offices at Littleton, Longmont, and Sterling, Colo., for increase in pay; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, December 20, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for the revelation of Thyself, so clear, so glorious as that all of us can come to Thee in prayer. We seek to justify our ways to men, but we care more that Thou shalt look with favor upon our acts. We fear not them that may kill the body but we fear Him who has power to destroy both body and soul in hell. We come at last with our stewardship before Thee and Thou must pass upon our acts. Give us Thy grace and Thy wisdom. Surround us with Thy providence. Give us the spirit that we may be led in all things to conform our lives to Thy will and glorify Thy name, and through Thy glory bring larger blessings to the people whom we serve. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PURCHASE OF FOOD SUPPLIES (S. DOC. NO. 645).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the Senate of the 15th instant, certain information relative to the purchasing of food supplies by Army officers and employees through Government agencies, which, on motion of Mr. GALLINGER, was referred to the Committee on Military Affairs and ordered to be printed.

NOBEL PEACE PRIZE (S. DOC. NO. 644).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a copy of a circular issued by the Nobel committee furnishing information as to the distribution of the Nobel peace prize for the year 1917, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to a concurrent resolution providing that when the two Houses adjourn on Friday, December 22, 1916, they stand adjourned until 12 o'clock meridian on Tuesday, January 2, 1917, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 18542. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes;

H. R. 19178. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes; and

H. J. Res. 306. Joint resolution authorizing the Secretary of the Interior to extend the time for payment of the deferred installments due on the purchase of tracts of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 324) authorizing payment of the salaries of officers and employees of Congress for December, 1916, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. WORKS. I have telegrams relating to the curtailment of the electric energy at Niagara Falls which I ask to have printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The telegrams were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

LOS ANGELES, CAL., December 20, 1916.

Hon. JOHN D. WORKS,
Washington, D. C.:

Curtailment of electric energy by the Canadian Government at Niagara Falls affects deliveries of grinding products used in our shops. This curtailment means to us a big loss of time and labor. We would appreciate your efforts to relieve the situation.

KILLIFER MANUFACTURING CO. (INC.).

LOS ANGELES, CAL., December 19, 1916.

Hon. JOHN D. WORKS,
Washington, D. C.:

Curtailment of electric energy by the Canadian Government at Niagara Falls affects deliveries of grinding products used in our shops. This curtailment means to us a big loss of time and labor. We would appreciate your efforts to relieve the situation.

UNION TOOL CO.

LOS ANGELES, CAL., December 19, 1916.

Hon. JOHN D. WORKS,
Washington, D. C.:

Curtailment of electric energy by the Canadian Government at Niagara Falls affects deliveries of grinding products used in our shops. This curtailment means to us a big loss of time and labor. We would appreciate your efforts to relieve the situation.

JOSEPH MUSTO KEEHAN CO.

LOS ANGELES, CAL., December 20, 1916.

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.:

Mining interests of West seriously affected by cyanide shortage. Immediate cause of present shortage due to Canadian Government's embargo on power expectation from Canadian plans to United States industries, we request that you use your best endeavors to have our Government protest against arbitrary withdrawal of power by Canadian Government, power developed with United States capital on Canadian side of Falls. We also urge that our Government permit the immediate temporary diversion of water to full capacity. Existing United States power installations suggest to secure cooperation of Senators and Congressmen of other Western States. Delegations from eastern industries are in Washington to-day and to-morrow conferring with the proper Government officials.

CHAMBER OF MINES AND OIL,
By THEODORE MARTIN, President.

Mr. THOMPSON presented a petition of the members of the Bible School of the First Church of Christ of Kingman, Kans., praying for the enactment of legislation to prohibit the transportation of intoxicating liquor into prohibition States, and also for prohibition in the District of Columbia, which was referred to the Committee on the Judiciary.

Mr. HITCHCOCK presented a petition of the Commercial Club of Omaha, Nebr., praying for the installation of a pneumatic-tube mail service in that city, which was referred to the Committee on Post Offices and Post Roads.

Mr. KENYON presented a petition of the Woman's Christian Temperance Union of Avoca, Iowa, praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of the Chamber of Commerce of Council Bluffs, and of members of the Osceola County bar and the Lyon County bar, of Iowa, praying for the use of all surplus fees received by the Federal Government from applicants for citizenship for education of the aliens in his civic privileges, duties, and responsibilities, which were referred to the Committee on Immigration.

Mr. LEA of Tennessee presented petitions of sundry citizens of Tennessee, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. POINDEXTER presented a petition of the port commission of Seattle, Wash., praying for an investigation of commercial trade opportunities in China and the establishment of direct trade relations between China and the United States, which was referred to the Committee on Commerce.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Whiteson, Oreg., praying for the placing of an embargo on food products and for the enactment of legislation to prevent the storage of food products by speculators, which was referred to the Committee on Foreign Relations.

Mr. WARREN presented a petition of sundry citizens of Sheridan, Wyo., praying for an increase in salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Shoshone Water Users' Association, of Powell, Wyo., praying for the enactment of legislation to extend the provisions of the Federal farm-loan act to reclamation projects, which was referred to the Committee on Banking and Currency.

Mr. MARTINE of New Jersey. I have a telegram from my home town, signed by the Hall Printing Press Co., referring to

the diversion of the water power at Niagara Falls, and asking legislation which will relieve them from a water famine at that place. They are interested in the power. I move that the telegram be referred to the Committee on Foreign Relations.

The motion was agreed to.

CAR SHORTAGE.

Mr. CHILTON. I present a letter from a prominent coal operator in my State on the subject of car shortage. I think this gentleman is very competent to speak upon this subject, and he suggests some remedies. I present also a copy of a letter from this same gentleman to the Interstate Commerce Commission. I ask that these letters be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the matter referred to was ordered to be printed in the RECORD and referred to the Committee on Interstate Commerce, as follows:

CHARLESTON, KANAWHA COUNTY, W. VA., December 4, 1916.
Senator WILLIAM E. CHILTON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am wondering if something can not be done to secure fair treatment of West Virginia by the Trunk Line Railroad. Few people in our State appreciate what is being done to us.

West Virginia normally produces about 60,000,000 tons of coal annually.

During the past four months the mines have not operated more than half time, in what is known as the Kanawha Valley, which means there has been a loss to West Virginia during the past four months, only, of not less than twelve or fifteen million dollars, with the coal operators of the State actually losing money on account of not having sufficient cars with which to fill their low-priced orders, thus being prevented from selling any quantities of coal on this market.

The coal operators are not only suffering, but there is not a man, woman, or child in the United States whose cost of living has not been increased by the advance in the price of coal of from 4 to 600 per cent during the past four months, due to an insufficient car supply, with the coal mines of the country not running half time with hundreds of thousands of coal miners idle and their families actually suffering. We frequently read in the papers that the scarcity of coal is the result of shortage of labor. That is not true. If that was the case, coal mines would be in operation full time, but with a reduced number of men, instead of a surplus of men, not having sufficient occupation to give them a fair living. The above conditions can not be fair with other industries of the country making millions, running 24 hours a day, 6 and 7 days in a week, which they could not do without sufficient cars with which to handle their products. Thus showing that other industries such as steel plants and businesses of that nature are receiving four times as good car supply as is the coal industry.

This is not only a great injustice to the public generally but is a suicidal policy for the railroads, as it has resulted in increasing the price even of railroad fuel coal from about \$1 a ton to \$3 and \$4 a ton at a time when they claim they need higher freight rates with which to meet operating expenses. Anything you can do to help the situation out in this district will be appreciated. The Interstate Commerce Commission has from me very extensive data in detail on this subject.

With kindest regards, I am, yours, very truly,

KELLYS CREEK COLLIERY COMPANY,
J. W. DAWSON, General Manager.

THE KELLYS CREEK COLLIERY CO.,
Ward, Kanawha County, W. Va., December 12, 1916.
Commissioner C. C. McCHORD,
Care Interstate Commerce Commission, Washington, D. C.

MY DEAR JUDGE: Replying to yours of December 8, I will attach hereto the original pencil memorandum on which my previous letter was based, in addition to my personal knowledge of the transaction.

The Kanawha & Michigan Railway had empty coal cars in its Dickinson yard, only about 6 miles from us, before working time on the morning of the 5th. We did not get these cars until 9.45 a. m. The same condition existed, as I understand it, on the morning of the 6th, and we did not get the cars until 10.20 a. m., on both occasions employees of the Kanawha & Michigan Railway telling us that the cars were available, but they had no motive power with which to move them to us, as five of the best Kanawha & Michigan engines had been taken over onto the Toledo & Ohio Central Railroad in Ohio.

On the 5th a Kanawha & Michigan passenger train was considerably delayed by one of its freight trains, which was being pulled by a very light engine that could not handle the train. Inquiry about that brought the reply that the engine was too light for the business; that the best engines had been taken to the Toledo & Ohio Central.

A coal mine such as ours must start work before 7 in the morning if it starts. We can not hold 500 or 600 men idle several hours waiting for cars; it is difficult enough to get the forces together if the cars arrive on time.

In reply to the last paragraph of your letter, I would state that there is very little improvement in the car supply on the Kanawha & Michigan Railroad as yet. As an illustration we received empty cars for loading as follows:

December 1, 21; December 2, 24; December 3, Sunday; December 4, 20; December 5, 25; December 6, 19; December 7, 22; December 8, 25; December 9, 12; December 10, Sunday; December 11, 20; December 12, 5, making a total for the 12 days, or 10 working days, of 193 cars. We could have loaded 400, which shows that we are still receiving less than about 50 per cent car supply.

Now, Mr. McChord, the complaint we have is not due so much to the car shortage, but our unfair treatment. If we were suffering solely from the general car shortage and congestion of business, we would take our medicine and not complain further than make an effort with all others to correct the trouble; that is not the case with us.

For some 12 years past or longer Toledo & Ohio Central and Kanawha & Michigan cars have been handled and distributed without discrimination as to their lettering. Under this arrangement, the Kanawha & Michigan having been in the habit of using Toledo & Ohio Central cars and giving the Toledo & Ohio Central Railway valuable tonnage

in them, it was unnecessary for the Kanawha & Michigan Railroad to purchase a sufficient number of coal cars with which to take care of its business, and under that arrangement the Kanawha & Michigan and Toledo & Ohio Central cars jointly have furnished coal shippers in this district for many years past, until five months ago, practically a 100 per cent car supply, with a few exceptions of very short periods.

Under this arrangement and years of experience we had a right to expect the practice would be continued; we sold coal and made obligations accordingly.

Large producers of coal must keep their products sold six months or a year ahead.

Therefore last spring, as usual, we sold practically our product to be shipped during the summer and fall at reasonable market price or less. Our 500 or 600 customers, scattered through Ohio, Indiana, Michigan, and the Northwest, having purchased their coal from us, and we having agreed to ship it, felt as if their coal supply was secure for this season, they knowing that we had never failed to fulfill an obligation.

But as soon as the coal market became unusually active during the latter part of the past summer and everyone knew that the price of coal would advance sharply the car supply on the Kanawha & Michigan Railroad diminished from 90 and 100 per cent to 35 and 40 per cent, we being told that the New York Central would not permit Toledo & Ohio Central coal cars to come onto the Kanawha & Michigan Railroad, as had been the custom for much longer than 12 years. It seems strange to me that we were permitted to use New York Central equipment before that system purchased the Kanawha & Michigan Railroad and were not permitted to use the same equipment when the owners of that equipment are now the owners of the Kanawha & Michigan Railroad unless, as I believe is the fact, there is some deep-laid scheme connected with it.

Further, I don't understand why, if the Kanawha & Michigan is so independent of the New York Central that we are not permitted to use Toledo & Ohio Central cars, that it is so much a part of the New York Central that the Toledo & Ohio Central takes Kanawha & Michigan engines when they are needed on the Kanawha & Michigan Railroad.

By request and suggestion of officials of the New York Central Railroad we made heavy expenditures here last spring of about \$40,000, opened a new mine, constructed new tipples, put in expensive machinery and prepared to double our capacity, and right on the heels of this our car supply is cut half in two.

Our being deprived of cars has prevented our yet shipping the coal that we promised to ship before last September; it has resulted in a loss to us of not less than \$75,000 or \$100,000; it has resulted in the best class of our customers, who have been depending upon us for coal during the past 8 or 10 years, becoming disgusted and turning their patronage to other coal fields.

It has resulted in five or six hundred dealer customers scattered through Ohio, Indiana, Michigan, and the Northwest, who serve doubtless a hundred thousand customers, being required to pay from \$3 to \$6 a ton for coal that we had sold them at from \$1.23 to \$1.75 a ton, and which we would have shipped had we been getting our usual car supply.

The improper railroad management, therefore, has not only caused us to lose our best customers and \$75,000 or \$100,000, but has caused those same customers to pay out unnecessarily \$75,000 or \$100,000, while we in turn are loading the coal which they should have into barges and shipping it down the river at prices not exceeding \$1.20 a ton, but the parties to whom we sell this river coal resell it on the market; thus two separate and distinct sets of consumers, aggregating, I would estimate, 150,000 families, are paying three or four prices for the coal they are burning unnecessarily, the result of our one company not being able to fulfill its obligations. There are doubtless hundreds of other coal companies in the same condition.

We have been shipping practically every car we could get that would go west on this low-priced, last summer's contract business; we have not been selling coal that could be shipped in the western market at the present market prices; we have refused to accept new orders at any price, even though we are offered \$5 and \$6 a ton for coal, while at the same time shipping from 18 to 20 cars daily at prices less than \$1.75 a ton, thus actually losing money on such a market as this, the result of this unfair railroad practice.

The feature worthy of serious consideration by your commission is that when our customer that purchased his coal last spring from us failed to get it this winter from us, he is forced to rush out on the open market and purchase it from coal concerns who had not sold ahead; therefore if some one connected with the railroad interests or closely identified with them could have had a tip last spring and been told what districts would receive cars and what districts would be deprived of cars this fall and winter, some one would pocket millions. I can not help believing that was done.

Not only our customers and the coal operators are suffering from this practice, but thousands of coal miners, and I might say, with their families, hundreds of thousands are suffering for lack of regular employment at a time when the whole world is suffering for what they would produce, could they be given regular work.

Another thing that proved the correctness of my theory that the shortage of cars on the Kanawha & Michigan is not the result of the general condition over the country. For the past 20 years the Kanawha & Michigan Railroad has furnished its coal operators at least a 50 per cent better car supply than the Chesapeake & Ohio in the Kanawha district, our nearest neighbor, furnished its shippers. During most of that period there was no profit in producing coal, but the New York Central Railroad wanted tonnage; but now when that railroad does not need tonnage from the Kanawha & Michigan and there is a profit in producing coal, the Kanawha & Michigan furnished its shippers a 50 per cent less car supply than the Chesapeake & Ohio, thus reversing the whole condition and comparison.

If the New York Central system is permitted to bunch its coal-car equipment in West Virginia during the summer months and other periods when coal is mined and sold at less than actual cost of production, then withhold from West Virginia and concentrate it on other portions of its system at every period when there is a profit in the production of coal, the practice will more surely put out of business the coal operators of West Virginia than any freight rate that could be applied.

Very truly, yours,

KELLYS CREEK COLLIERY CO.,
J. W. DAWSON, General Manager.

LANDS IN OKLAHOMA.

Mr. OWEN. I ask leave to call up joint resolution No. 306, which has just come from the House of Representatives, referring to the extension of time for two years of final payment on certain lands in Oklahoma. It is recommended by the Interior

Department and has been passed by the House of Representatives. I ask that the Senate may concur. The Committee on Indian Affairs have ordered a favorable report upon the measure.

The PRESIDENT pro tempore. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. J. Res. 306) authorizing the Secretary of the Interior to extend the time for payment of the deferred installments due on the purchase of tracts of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma, was read twice by its title.

The PRESIDENT pro tempore. The Senator from Oklahoma asks for the immediate consideration of the joint resolution.

Mr. PENROSE. Has the joint resolution been referred to the committee?

Mr. OWEN. It is favorably reported this morning. There was a similar form of resolution submitted in the Senate.

Mr. PENROSE. That may all be, but I want to know when the joint resolution was referred to the committee?

Mr. OWEN. The identical joint resolution was sent to the committee December 5, and ordered reported by the committee this morning, in anticipation of the passage by the House of the act submitted here to-day.

Mr. PENROSE. Has the other joint resolution been reported?

Mr. OWEN. I am authorized to report it.

Mr. PENROSE. I do not object particularly to the purpose of the joint resolution, but I do most strenuously object to this irregular method of conducting the proceedings of the Senate.

Mr. OWEN. I should like to say to the Senator that there is nothing irregular about it. I was authorized to make the report and I make the report now from the Senate committee.

Mr. PENROSE. But the Senator has not done it yet.

Mr. OWEN. I am doing it at this time.

Mr. PENROSE. If that had been done perhaps I would not have interfered, but I did not observe that it had been done. I will object until the joint resolution is reported from the committee.

The PRESIDENT pro tempore. The joint resolution will then be referred to the Committee on Indian Affairs.

Mr. OWEN. Just a moment. I submit a report on Senate joint resolution 178, which is identical with the measure that has come from the House. The measure has passed the House, was favorably reported by the Committee on Indian Affairs of the House, of course, and was passed on the favorable report of the Secretary of the Interior. This report merely adopts the House report. I ask for the substitution of the House measure for the Senate measure, that being the parliamentary procedure and ordinary practice. That will meet the objection of the Senator from Pennsylvania that there might be any irregularity in it.

Mr. GALLINGER. But, Mr. President, I will suggest to the Senator if he does that it will have to go back to the House. The Senator had better report the House joint resolution in form.

Mr. PENROSE. I object, Mr. President.

Mr. OWEN. I yield to the objection.

The PRESIDENT pro tempore. The Chair will state that we have not yet reached reports of committees. The joint resolution will be referred to the Committee on Indian Affairs.

POWER AT NIAGARA FALLS.

Mr. SMITH of Michigan. Mr. President, I desire to call the attention of the Senate to petitions and memorials which I have received bearing upon the question of the diversion of water from Niagara Falls under a treaty between the United States and Great Britain. These petitions come from various industries on the American side of the border and are very important.

Mr. TOWNSEND. I wish to state that I have received, I think, hundreds of telegrams on the same subject suggested by my colleague [Mr. SMITH of Michigan], and also on the subject of the Sheppard bill. I have not felt that it was necessary to present them to the Senate. They were directed to me. However, I have received more upon the subject now under consideration than upon the measure suggested by the Senator from Michigan.

Mr. STONE. From the Committee on Foreign Relations, by the authority of that committee, I report back favorably the joint resolution (S. J. Res. 186) authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River, and I submit a report (No. 886) thereon.

Mr. President, this is an emergency matter. I therefore, acting under the direction of the Committee on Foreign Relations, ask the Senate for its present consideration.

Mr. GALLINGER. Let the joint resolution first be read.

The PRESIDENT pro tempore. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to issue permits, revocable at will, for the diversion of water in the United States from the Niagara River above the Falls for the creation of power to individuals, companies, or corporations which are now actually producing power from the waters of said river in additional quantities which, with present diversions, shall in no case exceed the capacity of the generating machinery of the permittee and tenant companies now installed and ready for operation, nor an amount sufficient to enable the permittee to supply the now existing hydroelectric demands of the individuals, companies, or corporations which said permittee and tenant companies are now supplying, but not in excess of the capacity of power-using appliances of said consumers now installed and ready for operation: *Provided*, That in no event shall the total quantity of water diverted from said river above the Falls for power purposes exceed in the aggregate a daily diversion at the rate of 20,000 cubic feet per second: *And provided further*, That this resolution shall remain in force until the 1st day of July, 1917, and no longer, at the expiration of which time all permits granted hereunder shall terminate unless sooner revoked; and nothing herein contained shall be held to confirm, establish, or confer in or upon any such permittee any right in or to the water which he is now diverting or which he may be authorized to divert hereunder.

Mr. GALLINGER. The Senator from Missouri suggested that this is an emergency matter. Will the Senator explain what the emergency is?

Mr. STONE. Mr. President, in the treaty between Great Britain and the United States dated January 11, 1909, and proclaimed May 13, 1910, it is provided that the United States or authorized interests of the United States may divert water from the Niagara River above the Niagara Falls for commercial uses to an amount not exceeding 20,000 cubic feet per second. In the same treaty it is provided that the Canadian Government or provincial Canadian authorities may permit 36,000 cubic feet per second to be diverted for the same purposes. It so happens that under a law of Congress and the rulings of the War Department made thereunder only 15,600 cubic feet per second of the 20,000 cubic feet authorized to be used on this side have been permitted by departmental orders. That is 4,400 cubic feet per second less than the amount we are entitled to use upon this side of the line under the treaty. On the other side a larger amount of water is authorized, under the treaty, to be diverted. Canada may take as much as 36,000 cubic feet per second, or nearly twice what we can take. I think the Canadians have not reached that maximum, but they have gone far beyond what is being consumed on this side.

Mr. SUTHERLAND. The amount now appropriated is 30,000 cubic feet per second.

Mr. STONE. Thirty thousand cubic feet, the Senator from Utah says.

Mr. GALLINGER. But, Mr. President, it puzzles me to understand why we are not permitted to divert the amount named in the treaty. Why is that?

Mr. STONE. It is due to a statute of the United States known as the Burton Act, which limited the amount that we might divert to 15,600 cubic feet. The War Department has so construed the law that it is unwilling, without further congressional action, to grant permits for a larger consumption of the water.

Mr. GALLINGER. That act, then, nullified, to a certain extent, the provisions of the treaty?

Mr. STONE. There was a supplemental act, but the act of limitation was really passed before the treaty was made and proclaimed.

Let me try to explain the difficulty: A number of important manufacturing establishments located on this side, many of them along the Niagara front but others outside, and public municipal interests also are being supplied by power generated at Niagara. Action has been taken, so I am informed, by public authority in Canada diverting the uses of the power generated on that side to public uses, so that contracts in existence between manufacturers on the American side with generators of power on the other side are seriously affected by a reduction of the power the American consumers under their contracts are authorized to import. The result is that a number of our establishments are finding themselves short of power to run their machinery.

The pending resolution provides that the 4,400 cubic feet of unused water we are entitled to use under the treaty may be utilized to meet this emergency, under permits granted by the Secretary of War. If this is not done, it has been made to appear to the Committee on Foreign Relations that important

industries in the United States having contracts with Canadian power generators will seriously suffer.

This proposed law is limited in its duration to six months, because the Secretary of War, I think wisely and properly, suggested that if we granted without limit or restriction the right to divert the water and sell the power, it might later on embarrass Congress when it came to deal with the water-power subject in a more general way. So this joint resolution provides only for a temporary disposition of the subject; that is to say, for a period of six months—merely to meet an industrial emergency.

Mr. GALLINGER. Mr. President—

Mr. STONE. Will the Senator permit me to proceed for a moment?

Mr. GALLINGER. Certainly.

Mr. STONE. There are bills now pending which it is thought, if they should be passed, would deal with the subject in a general way after the expiration of this proposed law, limited in its operation, as the Senator sees, to a short period.

Mr. GALLINGER. Mr. President, I have been wondering as to exactly what is going to happen at the end of six months. Congress will not then be in session, and these people will be in exactly the same plight in which they are now, unless general legislation is enacted in the meantime.

Mr. STONE. I think that is true; nevertheless this question is presented—that if we should by this joint resolution grant the right involved without limit that grant might embarrass the Congress hereafter because of claims people might present of equities acquired by reason of this law. I think it safer to limit this grant to six months, and let us take care of the situation adverted to by the Senator by general legislation. The committee had before us this morning a number of representative men directly interested in this subject; the same gentlemen, or others of like character, have been before the Committee on Foreign Affairs of the other House, and I think I am safe in saying that it is greatly desired by them that this joint resolution should pass in this form.

Mr. GALLINGER. Of course, Mr. President, I shall yield to the superior judgment of the Senator from Missouri and his associates on the Committee on Foreign Relations; I am not a member of that committee myself, and know very little about the matter except what I gleaned from the reading of the joint resolution.

Mr. POMERENE. Mr. President—

Mr. GALLINGER. Yet two or three queries have arisen in my mind. One is, I have wondered why we have given Canada more water power than we have taken to ourselves.

Mr. STONE. That has been done by the treaty.

Mr. GALLINGER. Again, I wondered why we were not getting the amount of water power provided for in solemn treaty between the two Nations; but the Senator from Missouri has explained that. I certainly shall not obstruct the passage of the joint resolution.

Mr. STONE. Mr. President, if the Senator from Ohio [Mr. POMERENE] will permit me just one moment, I will then yield to him. I wish to say that it may be seen by examining the joint resolution that it provides that this water power which in effect is to be sold by the generating companies shall be given for a period of six months only to the industrial establishments now using it, and to those establishments only, and not to them to any greater extent than they can now use it under the installations they already have; and this only for a period of six months.

Mr. GALLINGER. I understand it.

Mr. POMERENE. Mr. President, I merely wanted to offer, in answer to the suggestion made by the Senator from New Hampshire [Mr. GALLINGER], the remark that it is not necessary that we concern ourselves about the status of these different companies on July 1 next, as they are not asking for any extension beyond that time.

Mr. STONE. Mr. President, if there is nothing further to be said, I ask that the joint resolution may be laid before the Senate, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent for the immediate consideration of the joint resolution. Is there objection?

Mr. LA FOLLETTE. Mr. President, before unanimous consent is given for the present consideration of this joint resolution I should like to know a little more about it. I myself have received, as I suppose other Senators have, a great many telegrams from parties interested in having this joint resolution passed. If there is no question about conflicting rights, I see no reason why it should be passed for a limited period; but if there is some question of conflicting interests here I should like

to inquire whether those who might object to it have been given opportunity to be heard by the committee? I should like to know a little more about the matter before it is acted upon by unanimous consent; that is all.

Mr. STONE. Mr. President, if I catch the scope of the Senator's inquiry, he wishes to know whether there are opposing interests which have not been heard. I do not know of any, except we have been informed that, very naturally, there are other industries in the country that would desire to utilize Niagara power. I see no reason myself why they should not be given equal opportunity to contract for it, and I have no doubt that they can enter the field of competition for it whenever we have a general law on the subject; but we have no power now beyond that permitting the use of 15,600 cubic feet per second, and that is already contracted for. However, a number of the industries taking part of their power from this side of the line also take part of their power from the other side. The other side, under some form of embargo, are stopping the export from Canada of the power contracted for and diverting it to public uses, thus cutting down the operating power of establishments on this side that are now being run, their machinery going full head, and which are very important industries.

Mr. SMITH of Michigan. Affecting, for instance, the lighting plant of the city of Niagara Falls.

Mr. STONE. Yes; the city of Niagara Falls has been notified that it will be cut down 25 per cent in its lighting capacity. That is a public utility, but there are private utilities that are being likewise affected. Now, if this joint resolution goes through, it merely enables the use of the additional 4,400 cubic feet of water power to take the place of power now being diverted on the other side and required to supply the needs of machinery, the use of which is being lost through the action on the other side, as my friend from Mississippi [Mr. WILLIAMS] suggests to me, because of the power subtracted by Canada.

Mr. LA FOLLETTE. What quantity of water are these companies authorized to take now for power purposes?

Mr. STONE. On this side?

Mr. LA FOLLETTE. On this side.

Mr. STONE. They are authorized to take 20,000 cubic feet per second.

Mr. HITCHCOCK. No; Mr. President, I think that the chairman of the committee misunderstood the question. These companies are not authorized to take 20,000 cubic feet, but the treaty gives the United States the right to take that much. These companies, however, are only permitted to take 15,600 cubic feet, as I recall.

Mr. STONE. That is absolutely correct. I thought the Senator was asking me to what extent water might be diverted by the United States under the treaty.

Mr. LA FOLLETTE. Under what authority are they permitted to take 15,000 cubic feet?

Mr. HITCHCOCK. The act of Congress only gave the War Department the right to issue permits for that amount.

Mr. LA FOLLETTE. When was that act of Congress passed?

Mr. HITCHCOCK. In 1910, I think.

Mr. LA FOLLETTE. My recollection of the matter is rather vague, but was there not considerable controversy at the time as to whether as much water should be permitted to be drawn from the Niagara River as 20,000 cubic feet? Was there not a very vigorous protest on the part of a great many people in this country, and was it not claimed that if that amount of water was withdrawn it would seriously diminish and affect to a very considerable extent the flow of water over the falls?

Mr. HITCHCOCK. My recollection is that that was the inducement to the making of the treaty with Great Britain, by which Great Britain agreed to limit the withdrawal of water provided the United States would do likewise.

Mr. STONE. All that was discussed at the time the treaty was made, and 20,000 cubic feet were allowed to the United States and 36,000 cubic feet to the other side. The United States have utilized only 15,600 cubic feet. There was a discussion about the effect on the Falls of this diversion of water. That was discussed when the treaty was under consideration; it was also discussed here on the floor of the Senate.

Mr. LA FOLLETTE. It was discussed when the action of Congress limiting the amount to 15,000 feet was taken.

Mr. STONE. It was then discussed.

Mr. LA FOLLETTE. It was discussed at that time, as I recollect.

Mr. STONE. Now, as we are informed, the total of all this diversion amounts to approximately 25 per cent of the natural flow. Canada, as I am told, was allowed a larger withdrawal of water than the United States because of the contention that the Chicago Drainage Canal, emptying into the Mississippi River, was taking a large amount of water from the Great Lakes, and

there was in addition some other diversions of lake water by the United States. In consequence, whether wisely or unwisely, we entered into the convention by which the British Government was allowed nearly double the amount of water diversion this Government was allowed. So far we have not been permitted to use even the 20,000 cubic feet allowed to the United States for reasons which have been stated.

Mr. LA FOLLETTE. Mr. President, is the Senator advised, I will inquire, whether the taking of this additional quantity of water for power purposes would operate to reduce the lake level?

Mr. STONE. Mr. President, the Senator asks me—

Mr. LA FOLLETTE. That inquiry is, in my mind, for the reason that I know that the water drawn from the Lakes for the Chicago Drainage Canal has operated to reduce the water level in the Lakes to the serious injury of commerce.

Mr. STONE. Mr. President, I do not wish to go into that scientific argument. My information is that only about 10,000 cubic feet per second flow from Lake Michigan into and through the canal referred to by the Senator. That and some other diversions in smaller quantity were taken into consideration at the time the treaty was made, and on the general calculation it was considered that the granting of 36,000 cubic feet at Niagara to the Canadian or British authorities would about equalize the amount that we were getting on this side.

Mr. LA FOLLETTE. I have just caused an inquiry to be made of the Board of Engineers with regard to the possible effect of this increased diversion of water for power purposes upon the lake levels, and am advised that it would be negligible.

Mr. SMITH of Michigan. Mr. President, if the Senator from Missouri will permit me, I should like to say to the Senator from Wisconsin that there has been pending before the Secretary of War for some time an application to appropriate about 2,600 cubic feet of the amount which we could appropriately take under our treaty, but in excess of the amount now used, and that the Secretary of War has publicly said—in fact, he said it the other day before the House Committee on Foreign Affairs—that he would grant that right, and that the Chief of Engineers and the district engineer all concurred that it could be appropriately done if he had the power. I think, under the safeguards that have been thrown around this joint resolution, it being but temporary in its character, we can afford at least to assist the present users of Canadian power on the American side without any fear of bad effects. The limitation of 15,000 cubic feet, approximately, was made before the treaty was made or ratified; and when the treaty was made it was determined that the appropriation of 20,000 cubic feet per second daily by the United States and 36,000 cubic feet per second daily by Canada would not in any way impair the scenic beauty of Niagara Falls.

Mr. STONE. Mr. President, I wish to say to my friend from Wisconsin that I am in sympathy with his idea that commercial diversions of water should not be permitted that would appreciably lower the level of the Lakes or perceptibly affect the scenic beauty of the Falls. I am informed that engineers who have been brought into consultation have stated that even 40 per cent of diversion from the Niagara would not affect either of those things. At present the diversion is less than 25 per cent.

Mr. BRANDEGEE. Mr. President, will the Senator answer me this question: Do I understand correctly that the water that is diverted is not permanently withdrawn, but goes right back into the river and thence into the Lakes again? I do not see how the question of the level of the Lakes is concerned in this matter. How can the level of the Lakes be affected? The water is taken from just above the Falls and then goes back into the river.

Mr. STONE. At least, it might affect the Falls.

Mr. BRANDEGEE. It can not possibly affect the lake levels, can it?

Mr. STONE. It can not, as I see it.

Mr. WADSWORTH. Mr. President, will the Senator from Missouri yield?

Mr. STONE. Yes.

Mr. WADSWORTH. May I say something partly in reply to the Senator from Connecticut? The point at which the water is taken for the power plants upon the American side is just above the Falls.

Mr. BRANDEGEE. Yes.

Mr. WADSWORTH. Taking water from the river at that point for the purpose of producing power will have no more effect upon the levels of Lake Erie and Lake Michigan and Lake Superior and Lake Huron than allowing it to proceed and go over the Falls.

Mr. BRANDEGEE. The Senator has the same idea that I have about it.

Mr. WADSWORTH. Mr. President, just a remark, if I may, with the permission of the Senator from Missouri, with reference to the figure 15,600 cubic feet per second. As I understand it, when the Congress made up its mind that these waters and their use for power purposes should come under the jurisdiction of the Federal Government the power plants then completed at Niagara Falls on the American side, or approaching completion, had a maximum capacity of 15,600 cubic feet per second. The Congress passed an act known as the Burton law, as I understand, prohibiting any companies upon the American side taking more water than they had already made investments for, so to speak. In other words, they set by statute a limit of 15,600 cubic feet per second. The purpose of that was to prevent any more companies being organized, any more penstocks or dynamos being installed, or any more water being used pending negotiations between Great Britain and the United States. When the treaty was made between Great Britain and the United States the whole matter of the preservation of the scenery, and, incidentally, the level of the Lakes, was taken into consideration; and as a result of that negotiation it was agreed that the scenery could not be injured by the taking of 20,000 cubic feet per second from the American side and 36,000 cubic feet per second from the Canadian side.

The life of the Burton Act, as I understand, was to come to an end with the making of the treaty; but since the making of the treaty, which permits 20,000 cubic feet to be diverted on the American side, the War Department has held that it is not authorized to exceed the amount set in the Burton Act. During all these years the American companies taking water from the American side have been limited by action of the War Department in its construction of the law to 15,600 cubic feet per second. This joint resolution of mine simply permits the companies with machinery already installed—prohibiting them to install any further machinery, forbidding even their customers who buy power from them to install any additional machinery for the use of power or the consumption of power—to take the amount, and not exceeding the amount, permitted by the treaty itself, which is 20,000 cubic feet per second.

Mr. BRANDEGEE. Mr. President, will the Senator allow me to state here that, as I understand, the life of this resolution is not only limited to six months from the date of its passage but the permit to be issued by the Secretary under the authority of the resolution is revocable at any time within that period, at the discretion of the Secretary.

Mr. WADSWORTH. That is right.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. WALSH. Mr. President, I should like a little further information about this matter. I have been listening to this discussion with a view to ascertaining the reason for the special consideration that is to be given to this measure, and to learn what exigency exists that requires this speedy action. The general subject of water-power legislation has engaged more or less of the attention of the Senate, and I have been quite diligently seeking to have consideration for general legislation dealing with this all-unimportant subject. I believe that the Members on this side of the Senate, at least by formal action taken, feel obligated to invite the attention of the Senate at some early day to the pending legislation. There is now on the calendar a bill dealing with the subject. I am very naturally desirous of enlisting the active interest and support of everybody interested in water-power legislation. I do not recall that up to the present time we have had any very interested cooperation from the Senator from New York; and I should very much like to see his bill dealt with in connection with the general subject, that we might have his interested cooperation, unless, indeed, there is some exigency which requires us to take this up as a separate and independent measure in this extraordinary way. I should be glad to be enlightened.

Mr. WADSWORTH. Mr. President, in reply to the inquiry of the Senator from Montana as to what constitutes the emergency which calls for this legislation, may I say, in the first place, that the joint resolution has been drafted by the Secretary of War in consultation with the Army engineers who have given this matter study for some time. It has been drafted and presented for the reason that the Canadian Government has commandeered a large proportion of the power generated on the Canadian side for its own uses or for municipal uses in Canada, which prior to such commandeering had been imported into the United States and used by our industries along the Niagara frontier. Not only had it been used along the Niagara frontier, Mr. President, but I may say also that a goodly portion of the power which drives the street cars in the city of Rochester, the city of Syracuse, and a large number of towns and villages

along the line of the New York Central Railway between Buffalo and Syracuse is generated at this point. A large number of industrial plants along that line are seeking this power; but having it taken away by the Canadian Government the burden placed upon the power houses on the American side of Niagara Falls has been tremendously increased. They are unable to meet the demands of their customers for more hydroelectric power, which is used in the manufacture of a large number of chemicals, which in turn are essential for the successful conduct of many of the greatest industries of the United States. The last action of the Canadian Government in withdrawing power from importation into the United States has indeed brought about a serious situation, where the Niagara chemical plants have had to inform their customers all over the United States that the supply of chemicals which they have been accustomed to sending out must be decreased very materially. One may realize the importance of this situation when one remembers that at Niagara Falls are manufactured in the chemical plants practically all the alloys which go into the manufacture of high-grade steel; and if the Niagara Falls chemical plants were shut down, as the result of failure on their part to get electrical power from the power plants, the steel industry of the United States in many respects would be absolutely crippled.

These same alloys, for instance, go into the manufacture of armor plate for our battleships. They are made, as I understand, only at Niagara Falls, due to the growth of the enormous electrochemical industry there. The automobile industry would be seriously crippled, for the reason that it uses in large quantity an abrasive manufactured at Niagara Falls for the grinding of steel tools and the grinding of parts of automobile engines. That is to be cut down very seriously.

Mr. WALSH. Mr. President, I hope the Senator from New York will understand that I have not the slightest objection to this measure. Indeed, I am heartily in favor of it.

Mr. WADSWORTH. The Senator asked me to tell what the emergency was which gave rise to the pressing of the joint resolution at this time.

Mr. WALSH. Yes; and so I wanted to know from the Senator when this power was commandeered—power that was utilized upon this side, from the development on the other side.

Mr. WADSWORTH. It has been commandeered, Mr. President, in varying amounts by the Canadian Government during the last year. I think the last embargo was placed within the last 10 days. The danger line has now been reached.

Mr. WALSH. That is, the thing commenced a year ago?

Mr. WADSWORTH. It has been going on for a year—the embargoing by the Canadian Government of the exportation of power from Canada.

Mr. WALSH. So that if we could get the general legislation up within the next couple of weeks, the situation would be reasonably taken care of?

Mr. WADSWORTH. Mr. President, these enormous industries, upon which are dependent in turn hundreds of industries all over the country, can scarcely risk all their future upon the chance of Congress in the next two weeks passing general legislation.

Mr. WALSH. The situation in the State of New York is different from the situation in my State only in this—that the money is all ready to go into the enterprise in our State, and I have been here for two years begging this body to pass the legislation in order to permit the investment to be made.

I have no objection to the joint resolution.

Mr. STONE. Mr. President, I have been quite in sympathy with the Senator from Montana, as he knows, but I think these things ought not to be confused.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the joint resolution reported by the Senator from Missouri?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. WALSH, from the Committee on the Judiciary, to which was referred the bill (S. 1092) for the establishment of a probation system in the United States courts except in the District of Columbia, reported it with amendments and submitted a report (No. 887) thereon.

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the joint resolution (S. J. Res. 178) authorizing the Secretary of the Interior to extend the time for payment of the deferred installments due on the purchase of tracts of the surface of the segregated coal and asphalt lands of the

Choctaw and Chickasaw Tribes in Oklahoma, reported it without amendment, and submitted a report (No. 888) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bill and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 7487) to promote the reclamation of arid and swamp lands of the United States, and for other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. ASHURST:

A bill (S. 7488) to cancel allotment made to Ollie House, or Om-O-wat, on Shoshone Reservation, Wyo.; to the Committee on Indian Affairs.

By Mr. PENROSE:

A bill (S. 7489) for the relief of the survivors of McLean's Pennsylvania Regiment and their widows and children; and

A bill (S. 7490) for the relief of Thomas W. Miller (with accompanying paper); to the Committee on Military Affairs.

By Mr. WARREN:

A bill (S. 7491) to promote the settlement and agricultural development of United States reclamation projects; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. THOMPSON:

A bill (S. 7492) granting an increase of pension to Inez A. Hatchett (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 7493) granting an increase of pension to Howard E. Hoadley (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 7494) granting an increase of pension to David Draper;

A bill (S. 7495) granting an increase of pension to P. T. Simmonds;

A bill (S. 7496) granting an increase of pension to Irvin Tatum;

A bill (S. 7497) granting an increase of pension to Enock Medsker;

A bill (S. 7498) granting an increase of pension to Orville C. Gordon;

A bill (S. 7499) granting an increase of pension to John C. Trimble;

A bill (S. 7500) granting an increase of pension to Andrew Ormston; and

A bill (S. 7501) granting an increase of pension to Andrew Fifer; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 7502) authorizing the Secretary of the Navy to make donation of condemned naval guns and cannon balls to the John Wannebo Camp, No. 9, United Spanish War Veterans, Everett, Wash., to be placed in public parks; to the Committee on Naval Affairs.

A bill (S. 7503) authorizing the appropriation of \$50,000 to reimburse the city of Renton, in the State of Washington, for damages done in the destruction of the outlet of the sewerage of said city; to the Committee on Appropriations.

A bill (S. 7504) to amend section 4 of the act to regulate commerce passed February 4, 1887, and subsequent amendments thereof; to the Committee on Interstate Commerce.

A bill (S. 7505) to punish the storing of foodstuffs for the purpose of cornering the market, and for other purposes; to the Committee on the Judiciary.

A bill (S. 7506) granting an increase of pension to William H. Phelps; to the Committee on Pensions.

By Mr. JOHNSON of South Dakota:

A bill (S. 7507) granting an increase of pension to James A. Montgomery (with accompanying papers); and

A bill (S. 7508) granting an increase of pension to Nelson Coffin (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 7509) granting an increase of pension to James Hill; to the Committee on Pensions.

By Mr. OWEN:

A joint resolution (S. J. Res. 188) providing for an appraisal of lands in Osage County, Okla., owned by Osage Indians, as allottees or as heirs of tribal members; to the Committee on Indian Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. POINDEXTER submitted an amendment proposing to appropriate \$5,000 to be expended under the direction of the Department of Agriculture in cooperation with the extension

service of the State College of Washington for the extermination of destructive crickets in that State, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. ASHURST submitted an amendment proposing to appropriate \$1,000 for an investigation of conditions on the Navajo Indian Reservation, Ariz., with respect to the necessity for constructing for the use of Indians suitable bridges across the Little Colorado River and the Canyon Diablo Creek in the vicinity of the Leupp Indian School on said reservation, intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$1,000 for an investigation of the conditions on the Gila Bend Indian Reservation in Arizona with respect to the necessity of constructing for the use of Indians a diversion dam with a bridge superstructure across the Gila River on that reservation, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. McCUMBER submitted an amendment proposing to increase the salaries of clerks and messengers to the committees of the Senate, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 18542), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to increase the wages, salaries, or compensation of all persons employed by the United States Government, District of Columbia, or either House of Congress, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 18542), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CHILTON submitted an amendment proposing to appropriate \$225,000 for payment of interest to owners of lots, pieces, or parcels of land or their heirs or legal representatives who were included in the report and award of the court commissioners of the District of Columbia to condemn the land for the enlargement of the Capitol grounds, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to increase the salary of the superintendent of sewers, engineer commissioner's office, District of Columbia, from \$3,300 to \$3,600, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19119), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the maintenance of the Columbia Hospital for Women and Lying-In Asylum from \$20,000 to \$25,000, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19119), which was referred to the Committee on Appropriations and ordered to be printed.

EIGHT-HOUR LAW.

Mr. HARDWICK. Mr. President, I desire to give notice that on Thursday, January 4, 1917, it will be my purpose to address the Senate in support of the bill introduced by me to amend the act entitled "An act to establish an eight-hour day for employees of carriers in interstate and foreign commerce."

STOCK-RAISING HOMESTEADS—CONFERENCE REPORT (S. DOC. NO. 641).

Mr. THOMAS. Mr. President, the conference report on the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, has been submitted and is now on the table. It is very essential that action should be taken on that report before the Senate takes a recess. I shall, therefore, be obliged to call it up to-morrow morning, either during the morning hour or after the morning hour has expired.

REPORT OF INTERNATIONAL HIGH COMMISSION (H. DOC. NO. 1788).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Foreign Relations:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the report of the United States section of the International High Commission on the first general meeting of the commission held at Buenos Aires, April 3-12, 1916.

WOODROW WILSON.

THE WHITE HOUSE, December 20, 1916.

[The report accompanied similar message to the House of Representatives.]

COLUMBIA HOSPITAL.

The PRESIDENT pro tempore announced the appointment of Mr. GALLINGER to succeed himself as a director on the part of the Senate of the Columbia Hospital for Women and Lying-In Asylum, as provided for in the act of June 10, 1872.

HOUSE BILL REFERRED.

H. R. 18542. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

HOLIDAY RECESS.

The concurrent resolution (H. Con. Res. 67) relative to adjournment from Friday, December 22, 1916, to 12 o'clock m. on Tuesday, January 2, 1917, was read twice by its title and referred to the Committee on Appropriations.

Mr. MARTIN of Virginia. From the Committee on Appropriations, which has considered that resolution in anticipation, I report it back to the Senate and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none, and the Secretary will read the resolution for the information of the Senate.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 22, 1916, they stand adjourned until 12 o'clock meridian on Tuesday, January 2, 1917.

URGENT DEFICIENCY APPROPRIATIONS.

H. R. 19178. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

Mr. MARTIN of Virginia. Mr. President, I make a similar report, that bill having been considered in anticipation. I report it back to the Senate and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Virginia?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes, namely:

MILITARY ESTABLISHMENT.

QUARTERMASTER CORPS.

For the support of dependent families of enlisted men, including the same objects and under the same limitations specified in the appropriation for this purpose in the Army appropriation act for the fiscal year 1917 as amended by section 901 of the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, \$4,250,000.

MINT AND ASSAY OFFICES.

Denver, Colo., Mint: For wages of workmen and other employees, \$12,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in melting and refining department and coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, \$25,000.

Philadelphia Mint: For wages of workmen and other employees, \$110,000.

For incidental and contingent expenses, including new machinery and repairs, cases and enameling for medals manufactured, expenses of the annual assay commission, wastage in melting and refining and in coining departments, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, and not exceeding \$1,000 in value of specimen coins and ores for the cabinet of the mint, \$100,000.

San Francisco, Cal., Mint: For wages of workmen and other employees, \$18,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department and in the coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, \$7,500.

New York assay office: For wages of workmen and other employees, \$25,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department, and loss on sale of sweeps arising from the treatment of bullion, \$20,000.

DISTRICT OF COLUMBIA.

SUPREME COURT.

Miscellaneous expenses: For such additional miscellaneous expenses as may be authorized by the Attorney General for the supreme court and its officers, made necessary by the occupancy of temporary quarters pending the reconstruction of the courthouse, Washington, D. C., including an electrician at the rate of \$900 per annum and a laborer at the rate of \$600 per annum, \$3,750, one-half to be paid out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

DEPARTMENT OF JUSTICE.
PUBLIC BUILDINGS.

For an additional amount for the removal and readjustment of all office furniture and fittings in connection with the occupancy of temporary quarters by the officials and employees of the courthouse, Washington, D. C., including personal and other services, and for every item connected therewith, \$2,000.

For rent of temporary quarters for the office of the recorder of deeds pending the reconstruction of the courthouse, Washington, D. C., \$5,000, to be available during the fiscal year 1918.

The two foregoing appropriations shall be expended under the direction of the Superintendent of the Capitol Building and Grounds and payable one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

Mr. OVERMAN. I wish to say right here that I shall not oppose the bill, but it was stated in the Senate that the payments to the wives of guardsmen who were absent on the border would not exceed two million, and it was put at two million; and this is a deficiency for over \$4,000,000 until the 1st of April. If it goes on there is no telling how much it will cost.

Mr. SMOOT. The estimate is \$8,000,000.

Mr. OVERMAN. The estimate sent down here is \$8,000,000. That will make \$10,000,000. I wish to call the attention of the Senate to the fact that we can not be governed by estimates stated in arguments on the floor. It was said that it would cost \$2,000,000, and there is an estimate for \$8,000,000, and this is an appropriation of \$4,000,000. We shall probably have to appropriate the other \$4,000,000 later.

Mr. MARTIN of Virginia. It matters not what the estimate was; Congress passed a law providing that so many dollars a month should be paid to the soldiers' families who were unprovided for, and after Congress passed that law entitling those families to receive that amount an appropriation was made which will be exhausted before the end of this month. Here is a law which provides that there shall be paid \$50 a month for each family, or an amount not exceeding that sum. The money has not been appropriated to pay that obligation of the Government, which was undertaken by Congress beyond this month, and the appropriation now carried by this bill will pay it until the 1st of April, and no longer.

Mr. VARDAMAN. May I ask the Senator from Virginia how much the bill carries?

Mr. MARTIN of Virginia. Four million two hundred and fifty thousand dollars for this purpose.

Mr. VARDAMAN. What time will it cover?

Mr. MARTIN of Virginia. To the 1st day of April. It does not authorize the expenditure of a dollar that Congress has not already directed. It simply appropriates money to meet an obligation that Congress has already assumed.

Mr. HITCHCOCK. I should like to ask wherein this miscalculation occurred? Was it in the number of wives whose support became necessary or was it because of the length of time the soldiers were required to be on the border?

Mr. MARTIN of Virginia. I have no doubt both. One could not be accurate; it was merely a speculative estimate, perhaps made by some one on the floor. I do not know that the War Department ever prepared any careful figures on the subject.

Mr. THOMAS. I do not think any estimate was made.

Mr. MARTIN of Virginia. I say I do not think there was any estimate made by the department; but Senators expressed an opinion as to the amount which would be required.

Mr. THOMAS. I wish to call attention to the fact that when the measure was before the Senate for discussion some of us then predicted that this identical condition would present itself. It is now necessary to appropriate \$4,000,000 for this purpose. I understand from the Senator that that is designed to cover the period of time between the present and the 1st of April.

Mr. MARTIN of Virginia. That is all.

Mr. THOMAS. But, as the Senator said, we enacted the law, we made provisions for this outlay, and we must now meet it. It is too late to object to it.

Mr. OVERMAN. I am not objecting to it.

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Wisconsin?

Mr. MARTIN of Virginia. I do.

Mr. LA FOLLETTE. The implied criticism of the Senator from North Carolina [Mr. OVERMAN] upon Senators who had something to do with the moving and the adoption of this provision of law when the military bill was pending is, I think, entirely without warrant. It was upon my motion that the amendment was made. I named that sum because the House upon an earlier bill or at an earlier period had made an appropriation of that amount. I know I did not assert and I have no recollection of anybody asserting on this floor that that would be a sufficient amount to cover the provisions of the law.

No one could tell anything about how long the National Guard were to be kept on the border. No one knew whether it would be a week or 2 weeks or 10 months or years.

It is not my recollection at all—and I can speak very definitely with reference to what I said—that anyone said on this floor that \$2,000,000 or \$2,500,000 would be a sufficient appropriation to meet the requirements of the case more than for the time being. And whatever it may be, Mr. President, whether it be \$2,000,000 or \$10,000,000, the appropriation should be made.

Mr. OVERMAN. If the Senator from Virginia will yield to me a moment, I did not make any criticism. I am in favor of the appropriation, because the law calls for it. It is my distinct recollection that when the bill called for \$2,000,000 it was said that would be the amount needed; and I think the Senator from Colorado [Mr. THOMAS] and others predicted that it would be larger. It may be at least ten million.

Mr. MARTIN of Virginia. Of course, nobody could tell what amount would be required, because it depended on the length of time the soldiers were kept on the border. Who could tell whether they would be kept there 1 month or 12 months? It was impossible to make any estimate that would be at all accurate. The object was to provide \$50 a month during the time the soldiers with families were kept in the service of their country, and this amount is needed for that purpose.

Mr. VARDAMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Mississippi?

Mr. MARTIN of Virginia. I do; I yield the floor.

Mr. VARDAMAN. Mr. President, I was very much opposed to the enormous appropriation that was made in the last session for what was known as preparedness, but this is one expenditure that I agreed was entirely right. It not only provided, I understand, for the care and support of the wives and families of the members of the National Guard, but provided for the wives and families of the Regular Army men. I want the Record to show that this money is not all going to the National Guard. It is going to the wives and families of the Regular Army troops during their service on the border as it is to the families of the National Guardsmen.

I heartily agree with the Senator from Wisconsin [Mr. LA FOLLETTE] that whatever amount of money may be necessary it is the duty of Congress to appropriate.

Mr. LEE of Maryland. Mr. President, in this connection I would like to state that the original amount was suggested largely in behalf of the National Guard, and that on the urgency of the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Massachusetts [Mr. LODGE] the Regular soldiers were included, though it was not supposed that the Regular soldiers had any dependents, because the system in the Army is to exclude men from enlistment who have dependents. Furthermore, it was not supposed that a man who would enlist for \$15 a month could possibly have dependents. It has turned out the other way. It has turned out to be the fact that a large number of the Regular enlisted men have dependents. In addition to that, the time has gone beyond the time anybody in the origin of this matter thought it would cover. The National Guard and the Regular troops as well are kept on the border in this indefinite manner, and it is proper that the provision for their dependents should go on, as it has been made by every civilized government in the world, for the care of the families of the soldiers on the border.

Mr. GORE. Mr. President, I should like to ask the chairman of the committee if he has any data showing how many members of the National Guard are receiving money in behalf of their dependent families and how many members of the Regular Army. I think the thin edge of the wedge is already inserted in the Treasury. I remember the Senator from Maryland [Mr. LEE] urged the passage of this measure originally out of a lofty sentiment of patriotism. He indicated that it would not be any material charge against the Treasury. Some of us thought that it might sooner or later become a serious draft on the Treasury of the United States. Now, it seems it is not to pass away as a mere matter of sentiment, but that the heroes are really after the substance as well as the show of patriotism.

I should like to have a little data on that, because I remember distinctly the Senator from Maryland said there would not be many who would avail themselves of this very generous and patriotic offer.

Mr. MARTIN of Virginia. I have not gone into an inquiry as to the number. The number is, in my judgment, entirely immaterial. Congress authorized the payment of \$50 a month to the families of soldiers on the border who were dependent, and the Secretary of War was authorized to ascertain those dependent families and pay them not exceeding \$50 a month. The number of those at present I do not know, but I know he

reports to Congress that the appropriation made for this purpose will be exhausted before the end of the month of December, and he estimates the amount which is contained in this bill to pay for the support of these families until the 1st day of April.

It is a plain obligation of the Government. They agreed to pay the families of these soldiers not exceeding \$50 a month, the necessary amount to be ascertained by the Secretary of War. The amount was ascertained and it was to be paid, and the Government ought either to pay it or repeal the law.

The Government owes this money; it has provided by law that it should be paid; and I think it is a very just and meritorious provision.

Mr. GORE. Mr. President, I realize the obligation that has been imposed or inflicted on the Government. I do not think, however, the data or statistics are entirely immaterial. We may be obliged to confront this policy in the future. I should like to know now how many of these soldiers are already beneficiaries of these special payments of the Government, with a view of determining in the future whether we should relieve married men with dependent families from the obligation to render military service. It was insisted by myself and by others that we ought not to take these men away from their families; that we ought not to drag these heroes away from their wives and their dependents; that they ought to be allowed to stay at home; and that young men without such encumbrances or such obligations should be sent to the front to vindicate the Nation's honor. I still think it would be a matter of economy and would have saved millions to the Treasury and would not have jeopardized either the vital interests or the honor of the Republic.

I have some curiosity to know how many of these men are availing themselves of this tender on the part of the Government. Although we are now under no financial embarrassment, the revenues are abundant, and the obligations of the Government are inconsiderable, there might come a time when even United States Senators would consult economy and consult the interests of the taxpayers, and, notwithstanding their abounding generosity, they might determine it to be a matter of prudence to allow married men and men with dependent families to stay at home with their families and allow single men to go to the front in order to effect this economy.

Since asking the chairman the question I have come into possession of the statistics desired. There are now on the border approximately 40,000 members of the Regular Army. The families of some 1,700 of these are receiving payments under this policy. There are now on the border approximately 120,000 members of the National Guard. Fifteen thousand of these have made application for the benefits of this appropriation. Approximately 10,000 are now receiving the benefits of this appropriation; that is to say, the dependent families of 10,000 guardsmen are now receiving payments out of the Treasury of the United States. This has aggregated, up to date, approximately \$2,000,000. It is estimated that it will amount to \$8,500,000 before the close of the current fiscal year.

I maintain that these men should be honorably discharged and restored to their families, and that this could be done without seriously impairing the efficiency of the border defense. The \$8,000,000 thus saved would pay half the cost of a first-class battleship. It would pay for the construction of eight first-class submarines and twice that many submarines of a lesser type. This is more than the average annual amount expended on our entire coast defenses during the last 30 years. In my judgment, such a policy would be in the interest not only of sound economy but of well-directed and effective national defense.

Mr. LEE of Maryland. Mr. President, there was no sentiment at all in the suggestion or advocacy of this appropriation. It was done for the purpose of protecting a man who was summoned by his country to undertake military duty, leaving his trade or business, that that man should not be confronted with bankruptcy when he gives that service to his country.

I believe, Mr. President, that there were some who wished to have the National Guard system confused and made utterly disagreeable to the men who are participating in it and who did not want to have their families provided for; but it was done. I want to tell the Senator from Oklahoma that not a dollar of this money is going into the pockets of the soldiers. He is entirely mistaken when he says it is a pension to the soldiers.

Mr. GORE. I understand perfectly well it is going to the families.

Mr. LEE of Maryland. When the soldier is away the money goes to the support of the family, who are not getting the wages the soldier got when he was at home. When the soldier comes

back the support is no longer tendered by the Government. That is the universal practice of all civilized nations. The Canadian Government gives its soldiers a dollar a day and takes \$20 a month out of this \$30 and adds \$20 more to it for the support of the family. So all over the civilized world to-day it is recognized that the man who does the fighting for his country is entitled to have the country feed his family when he is not at home.

Mr. POINDEXTER. Mr. President, I notice a number of items for an increase in the payment of the wages of employees in the mints and assay offices at a number of different places. Will the chairman of the committee inform the Senate the occasion for an emergency appropriation for the payment of wages in mints and assay offices?

Mr. MARTIN of Virginia. It is because they are working double time, night and day, and they are unable to supply the demand for coin at even that. It is not to raise the wages but an increased pay roll of laborers is necessary to do the work of the mint. The work has increased in some instances fivefold, and they are without the money to carry on the coining that is absolutely necessary for the business of the country.

Mr. POMERENE. I desire to say in this connection that I have had various complaints from bankers in and about Cincinnati to the effect that there was not a sufficient amount of small bills or fractional coins in that section of the country, and my inquiries showed that the mints would be closed down unless the appropriations were made. I feel that there is a very great necessity for this particular appropriation at this time.

Mr. UNDERWOOD. Mr. President, I understand the bill reports only \$4,000,000 for the relief of the families of those members of the National Guard and Regular Army who are on the border. I ask the Chairman if my information is correct?

Mr. MARTIN of Virginia. Four million two hundred and fifty thousand dollars, which will carry the burden until the 1st day of April only.

Mr. UNDERWOOD. I should like to ask the chairman of the committee if the estimate of the Quartermaster Corps did not call for a very much larger sum than that.

Mr. MARTIN of Virginia. It did; but it was impossible to say how long the National Guardsmen would be kept on the frontier. In view of the probability of their being relieved from duty there in the near future the House and the Senate committee, and I think both wisely, determined that it would not make an appropriation to extend beyond the 1st day of April.

Mr. UNDERWOOD. What was the full amount estimated?

Mr. MARTIN of Virginia. Double the amount; but that estimate carried it until the 30th of June.

Mr. UNDERWOOD. The 30th of June would be double?

Mr. MARTIN of Virginia. Double the amount in this bill.

Mr. UNDERWOOD. Eight million five hundred thousand dollars?

Mr. MARTIN of Virginia. Yes.

Mr. UNDERWOOD. Mr. President, I wanted the RECORD to show what I believe will be the condition of affairs in reference to this appropriation. I think this appropriation is a very meritorious one. I do not think this great Government of ours can afford for one moment to occupy the position that it is not going to take care of the families of these men on the border. As far as I myself am concerned, I should prefer to make the appropriation the full amount requested by the department. In the first place, if the troops are ordered home before June it will not be necessary to spend it, and at present it looks like there was no possibility of a large number of troops being ordered away from the border before very late in the spring at least. The reason why I say that this appropriation is particularly meritorious—

Mr. SMITH of Michigan. Will the Senator permit me to ask him a question?

Mr. UNDERWOOD. Yes.

Mr. SMITH of Michigan. On what does he base that last statement? Has the Senator any information which leads him to believe that our troops will not be taken away from the border in the immediate future?

Mr. UNDERWOOD. I have no direct statement to that effect, but I have made inquiries as to when certain regiments from Alabama are likely to come home, and I can get no definite reply which would indicate that they would come home before late in the spring. I have no definite information, however.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Missouri?

Mr. UNDERWOOD. I do.

Mr. REED. Perhaps I can give a little light on that question. A number of companies and regiments from the State of Missouri have been on the border from the very first. Those troops were mobilized in two hours' time and ready to go to the front long before the War Department was ready to furnish them with the transportation. Some regiments from other States were ordered home some months ago. I then insisted at the War Department that it was only fair that the troops which arrived first should be returned first; that if they were going to return the troops they ought to be returned in the order of their arrival. I was informed that the entire question as to who should be returned and when was left to the commanding general, Gen. Funston. From that time to this date I have renewed my efforts. Some of our troops have been returned and some of them are still held. When I make inquiry I am told in substance and effect that these troops can not be taken from the border at this time; that the conditions are such that they find it necessary to retain them at their present places.

The War Department appreciates the hardships that these men are undergoing and the hardships which their families are enduring; but the necessity is such that they can not at this time order the troops back. What that may mean, what that necessity is, the Senator from Michigan can as well define as myself; but manifestly the War Department is impressed with the fact that it must keep a considerable force upon the border until conditions change. What may or may not change those conditions I can not say; but it would appear that at least these troops must be kept there until some sort of definite arrangement or settlement has been effected and until conditions in Mexico change, so that the necessity for the troops no longer shall exist.

I make that statement, because it may throw a little light on the situation. I thank the Senator.

Mr. UNDERWOOD. Mr. President, I thank the Senator from Missouri for his statement. His information is more full in reference to the movement of the troops than that which I myself possess. I am sure that those in authority are endeavoring to do what they consider just and equitable and fair so far as the movement of the troops home from the border is concerned, and yet it seems to me that they overlook the fact that those troops, who were ordered to the mobilization camps in July, kept in the mobilization camps for months, and then sent to the border, are suffering practically as much hardship as are the men who went to the border in July, and that the time they have served in mobilization camps should be taken into consideration as well as the time they have served on the border.

Alabama has three full regiments of infantry on the border, a full regiment of cavalry, and two artillery companies. Those organizations were called out early in July; I do not remember the exact date; but at the time the other National Guardsmen were ordered out by the President. They were kept at the mobilization camp in Montgomery until some time in September or October.

So far as the batteries are concerned, they were ordered to the mobilization camp in Montgomery; they were not furnished with horses and were furnished with only part of their equipment. They practically had to remain in camp doing guard duty, without an opportunity to be trained, and they were not removed to the border, where they could get training, until about the 1st of October. So it is my judgment that it is only fair that, in considering the service of these men and the quotas that are allowed to come home, the authorities should take into consideration the service in the mobilization camps as well as on the border.

What I was really coming to, however, was the hardship on numbers of these men. It is repeatedly stated in the papers that the National Guard as a second line of reserves has broken down and is a failure. Mr. President, I think a statement of that kind is an absolutely unjust reflection on the men who are serving in the National Guard to-day, and who are endeavoring to render patriotic service to their country. If the National Guard has broken down, then the Regular Army has broken down. The National Guard has been able to mobilize more men on the border than the Regular Army has been able to mobilize on the border; the National Guard has been able to recruit its units up to the same standard of efficiency and numbers that the Regular Army has been able to recruit its units.

The National Guard, it may be true, are not so well drilled or so well trained for camp service as are the units of the Regular Army; but, if that is so, whose fault is it? Is it the fault of the National Guard, is it the fault of the States, or is it the fault of the Federal Government? The Federal Government has passed a law creating the National Guard as a second line of reserves. Until they were called out was any-

thing done by the National Government to promote and develop that second line of reserves? Not a thing.

You may say that after the passage of the Army reorganization law the National Government has not had the opportunity, except when they were ordered to the border, to properly organize and promote the efficiency of these men in the National Guard. That is true; it has not; but if it has not, why put the blame on the National Guard? The charge that they have proven inefficient does not properly rest on the National Guard. So far as I can determine our organization of the National Guard as the second line of reserves has demonstrated, without cavil, its efficiency and its importance as one of the arms of defense of the National Government in time of war.

We have been absolutely unable up to this time to recruit the Regular Army to the quota which Congress has provided for immediate service. It may be that the recruiting officers have gone at it in the wrong way; it may be that the industrial conditions in the United States, under which there is a great demand for labor, high wages, and increased opportunities to make money, to some extent are responsible for the young men of the country not joining the Regular Army. I think it is so; but there are other reasons why we have not been able to recruit the Army up to the full quota that is provided by law and I think that the initial fault lies in the legislation itself.

We have written on the statute books a law that says that if any young man in the United States desires to serve his country in the Regular Establishment, he is required to make a contract with the United States Government by which he agrees to surrender himself to his Government, his time, his service, and, if the necessity arises, his life, under a contract of seven years' service. Take the boy who is 18, with seven years of life taken away from him, seven years to serve his country for his clothes and his food and \$15 a month. A man might respond to a call of that kind from patriotic motives; he might respond to defend his country, and would do so; hundreds of thousands of young men in this country will come to the standard if in time of war their country needs their services; but we are building an Army under peace conditions. Here is no compulsory service; there is no reason why one boy should surrender seven years of his life to his country rather than his neighbor's boy; and if you ask him to do so under peace conditions, you must make the life inviting and the service which he renders agreeable, or he will not volunteer; and when you want to raise an army you are compelled to resort to a compulsory enlistment.

Put yourself in the place of a young man 18 or 20 years of age in your State, or, if you have a boy of that age, think of your own boy. He is asked to put his name to a contract that signs away seven years of his life, seven years when he has an opportunity to get a college education, seven years when he has an opportunity to develop his business talents, seven years in which he has the chance to fix his place in life. Under the law now on the statute books you say that he must come to the standard and agree to a contract that he will serve three years with the colors and four years in reserve. Then you find you are not raising sufficient men to keep up your military establishment; that you are not getting the men to fill out the new regiments and the new companies and the new brigades. They are not responding. You have passed a law asking these young men to make a contract for seven years of service for \$15 a month and rations, when you know that the great steel mills of this country are paying common labor \$3 a day, that on the farms of this country men are being paid \$40 a month and board under conditions where a man can be a free man and his own agent. Do you think under your law you are going to induce men to enter the military service? I am sure it can not be expected of them. If you are going to have volunteer and not compulsory service, you will have to change the law, or you will not get the necessary number of men.

I am not for compulsory service in time of peace. I believe this country should be reasonably prepared to defend itself against a foreign foe should some misfortune involve us in the horrors of war, but I do not believe that it is necessary for us to keep the military establishment on land that has been maintained in the past and will be maintained in the future by the great Governments of Europe.

Mr. ASHURST. Mr. President, I have here a House joint resolution, which has been reported favorably from the Senate Committee on Indian Affairs and which ought to pass the Senate before the holiday recess. I was going to inquire if the Senator would be kind enough to suspend and allow me to make this report and ask unanimous consent to consider the joint resolution at this time?

Mr. UNDERWOOD. I desire to finish my remarks, but I can do that later in the discussion of the bill. However, I am not

in charge of this bill. The Senator from Virginia [Mr. MARTIN] has the bill in charge.

Mr. MARTIN of Virginia. I will say to the Senator from Arizona that I do not think it is possible that it can be of more importance to pass the joint resolution which he has in mind than it is to pass the pending bill, which is an emergency appropriation bill.

Mr. UNDERWOOD. As I was saying when my line of thought was interrupted, I do not think it is necessary in this country for us to maintain a great standing army; but I do believe that we should have a sufficient standing army to prevent any other nation in the world landing hostile troops on our shores as a second line of reserve to a great Navy and to defend our country until we can call for volunteers and put in the field an army that our country is capable of raising in time of war. If you had compulsory service, of course it would not be contemplated to require every man above 18 years of age who was of sound mind and sound health to serve in the Army; but I take it that those who are the proponents of compulsory service in the United States contemplate passing a law that would require every man who is between certain ages and is of sound health to be subject to military duty. I take it that if we entered upon that line of legislation, that policy of government, we would probably follow the example of military service in Germany or France. We would probably say that all the young men of sound mind and sound health in this country between the ages of 18 and 23 should be subject to military duty. If we did, it would mean the enlistment of four or five million men. Four or five million men carried in the Army at the same cost as the expense of the maintenance of the Regular Establishment to-day would mean that we would entail on the people of the United States an expense of some four or five hundred million dollars a year for the maintenance of the military arm of the Government alone, not taking into consideration what would be paid for the maintenance of the Navy or for pensions.

I do not believe for a moment that so great a burden would be satisfactory to the American people. I do not believe that the American people are prepared to consent to universal military service—I mean, universal military service such as I have indicated—nor do I believe that the people of this country are prepared to expend four or five hundred million dollars a year for the maintenance of an Army alone.

Then, if you say that you are going to have compulsory military service instead of a volunteer corps, but you do not want to bring into that service the entire population of young men between the ages of 18 and 23 who are sound in health and mind, I ask you how you are going to designate, out of four or five million men in the United States, whom you are going to take? Are you going to take the rich man's son or the poor man's son? Are you going to let political influences keep one boy out of military training and drive another one into it because he has not those political influences to protect him?

When you talk about compulsory military service in this country, those are the problems that you must face. You may say that you are going to enroll all of these men between these ages; that you are going to keep a list of them; that you are going to hold them ready for service. If you do so, you interfere with their making contracts for their life work. If you tell a boy "You are on the military list; you may be called out at any time; we will not call you or pay you now, but you can wait four or five years to find out," is that boy in position to prepare for his college education? If he is a rich man's son, his father may send him, pay the bill, and take the chance of his being ordered away from his studies to do duty in the barracks; but if he is a poor man's son he must either go to college at great sacrifices on the part of his parents, or possibly make great sacrifices himself, work and labor to secure the money with which to pay his way through college.

Many a boy has made a contract with a neighbor and friend by which he was enabled to borrow the money to see his way through college, with the understanding that when he finished his college course he would come back to the farm, to the factory, or the law office, and do the work that would pay back that debt which he contracted to pay for an education. But when you enter upon this proposal of a compulsory military system for the youth of this land, you say to thousands—nay, more, you say to hundreds of thousands—of young men in this country "The door to your education is closed on you forever, because you are not going to have the opportunity to make these contracts. You are not going to have the opportunity to get this college education unless you have discriminations made in your favor."

When I think of this situation, Mr. President, it brings to my mind the picture of the pampered child that I see on some of

the streets in Washington, streets that are shadowed by the palaces of men of great wealth, a child being led down the street, a nurse with a French cap on her head, a footman walking behind leading a dog, somebody rushing at every crossing to see that the child will not be run over by an automobile, the child carried across the street to keep his feet out of the mud. I never see that happen that I do not say, "God help that boy, because he has no chance on earth to be a man." And so it goes on as he grows older—tutored by private teachers so that he may not feel the rough breath of the world against him, pampered at college, brought out into the world with a gold spoon in his mouth, and with no force of character, no power to struggle against misfortune in him if his father's millions should desert him.

And then I see the picture of the great genius of American life; I see the picture of the boy rail splitter in old Kentucky walking 4 miles through a winter day for the only book that he had from which to get an education; I see the picture of that boy, with lighted pine knots burning in a broken rock chimney, with the light from that fire the only light by which he can study at night after the day of labor. I see there a character builder; I see there a boy growing to real manhood, with no father's millions to inherit; only brains and character inherited from a strong father and a good mother. As you follow the picture of that boy into the Halls of this Congress and into the Executive chair of the Nation, and you realize that Abraham Lincoln was not forced to serve at a military camp for seven years of his life; that an opportunity for education was not driven from him; that he had the freedom of action, thought, and life that builded the great man that served and saved this Nation, then I ask you, because somebody says that our present system has failed; that the National Guard is no good as a second line of reserve; because somebody has said that we can not maintain a standing army by the voluntary system, are you going to enter upon a system of compulsory enlistment that would drive the Abraham Lincoln of to-day into a contract with his Government for seven years' service and deprive him of the opportunity of an education, of a life of freedom of thought and action that may be of more value to his country in the years to come than a hundred thousand men armed cap-a-pie on a battle front?

Is there any man in this country to-day looking at the future who would say that this country in the hour of great peril, the hour of impending disaster, would have exchanged the patience, the kindness of heart, the great force of character, the seeking after high ideals, the determination to stand for what is right and abhor what is wrong, the patriotic love of his country, that was found in Abraham Lincoln for any number of battalions of soldiers that you might place on the battle line and say the exchange would have been worth while for your country in that hour of danger?

Yet these advocates of compulsory service overlook the fact that if anybody is going to escape this compulsory service it is the boy that is growing up with the French maid carrying him across the gutters and the liveried footman following behind with his poodle dog. It is not the rail splitter of Kentucky or of Arizona or the earnest worker of our great Eastern States who is delving in the mills and factories to take care of himself that would be exempt from this service.

Mr. President, I am not one of those who believe that you make men, and make great men, by throwing unreasonable restrictions about them. The Creator of the universe did not intend it that way. Man was put in this world to fight his own battle, to build his own character, and when you take the opportunity of that freedom of action and freedom of thought away from him you are tearing down the man, instead of building him up.

UNFINISHED BUSINESS.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

REGENT OF SMITHSONIAN INSTITUTION.

Mr. LODGE. I ask unanimous consent to introduce a joint resolution filling a vacancy on the Board of Regents of the Smithsonian Institution, and I request its present consideration.

The joint resolution (S. J. Res. 187) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, was read the first time by its title and the second time at length, as follows: *Resolved, etc.*, That the vacancy in the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, caused

by the resignation of Andrew D. White, of New York, be filled by the appointment of Henry White, a citizen of Maryland.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN OKLAHOMA.

Mr. ASHURST. I ask unanimous consent to submit a report (S. Rept. 889) from the Committee on Indian Affairs. It is the joint resolution (H. J. Res. 306) authorizing the Secretary of the Interior to extend the time for payment of the deferred installments due on the purchase of tracts of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma.

I ask that it be read because I purpose asking unanimous consent for its present consideration.

The PRESIDENT pro tempore. Without objection, the Secretary will read the joint resolution.

The joint resolution was read, as follows:

A joint resolution (H. J. Res. 306) authorizing the Secretary of the Interior to extend the time for payment of the deferred installments due on the purchase of tracts of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma.

Resolved, etc., That the Secretary of the Interior is hereby authorized to extend the time for payment of the final installment due on the purchase of tracts of the surface of the segregated coal and asphalt land area belonging to the Choctaw and Chickasaw Tribes, sold under the act of Congress approved February 19, 1912 (37 Stats. L., p. 67), to four years after the sale was made instead of two years, as provided in section 5 of the said act: *Provided*, That the accrued interest on all installments to date when due and the principal of the second installment, if due, shall be paid before an extension as herein provided may be granted: *And provided further*, That in all other respects the provisions of existing law shall apply to these purchases.

Mr. ASHURST. I ask unanimous consent for the present consideration of the joint resolution.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. REED. Mr. President, I wish to get some information from the Senator regarding this joint resolution before we vote on it. What is the reason why the extension is asked and why should it be granted? We ought to have a little light.

Mr. ASHURST. I think I can make a very brief and concise statement.

In February, 1912, the Congress of the United States authorized the sale of the surface of certain segregated coal and asphalt lands belonging to the Choctaw and Chickasaw Tribes of Indians. Payments were to be made annually and all payments but the last have been made. One of the payments was extended prior to this time. It happened that by reason of that extension two payments ran together, which imposed a hardship upon some of the purchasers. This joint resolution which has passed the House extends the period of time for making such payments on the final installment from two to four years.

I wish, however, to make the observation that pending the payment the rate of interest to be paid to the tribes will be 5 per cent whereas the money that they derive from the sale of this land draws only 4 per cent, and there is in the Treasury over \$5,000,000, in round numbers, to the credit of this tribe, \$4,000,000 to one tribe and \$1,000,000 to the other tribe. So the money is not immediately necessary.

I was requested by the Senator from Oklahoma [Mr. OWEN] to make this report and to ask unanimous consent for the present consideration of the joint resolution.

Mr. REED. Can the Senator tell us why this large sum of money is held there and not distributed? Does the Senator know?

Mr. ASHURST. This is not money that is to be distributed. The distribution, of course, of any fund would come in the Indian appropriation bill. The bill last year provided for the distribution of all moneys that anybody thought ought to be distributed, and the appropriation bill we are now working on provides for a further distribution. It is not intended to distribute this fund at all. It draws interest, as I said, at the rate of 4 per cent, but the deferred payment draws interest at the rate of 5 per cent.

Mr. REED. Will the Senator tell us who are the purchasers who have made default or are about to make default?

Mr. ASHURST. I wish to say that no forfeiture has been declared whatever by the Secretary of the Interior. It is only the surface of the land that is sold, and in large measure for

agricultural purposes. This is the last payment, and it is somewhat of a hardship, so far as I understand the situation, for the various purchasers to make the final payment now.

I see no objection to it; there was no objection in our committee to the joint resolution.

Mr. REED. Would not the deferring of this payment put off the date of final settlement with the Indians, the final turning over to them of the money?

Mr. ASHURST. I think not, Mr. President, for the reason that additional funds are coming to the credit of the tribe to be taken out from time to time, and the distribution of other funds is being made to those entitled to it. I see no harm that will come from the passage of the joint resolution, whereas some hardship might come to the purchasers who unfortunately are now unable to make the final and last payment, this being the third and final payment.

Mr. REED. Have these Indians been consulted about this proposition of deferring the time when their creditors shall pay?

Mr. ASHURST. The joint resolution passed the House within the last week. It came to our committee this morning. We had rather a large attendance before the committee, and the two Senators on the committee—with perfect respect to all other members—who, in my judgment, know the most regarding the affairs of the Oklahoma Indians—I refer to the Senator from Oklahoma [Mr. OWEN] and to the Senator from Kansas [Mr. CURTIS]—both agreed that the joint resolution should be passed. There was no opposition expressed, either before the House committee of which I know or before the Senate committee, to the joint resolution. I am very sure the Indians involved would rather have the 5 per cent that will be paid to them on the deferred payment than to have the 4 per cent that the money would draw from the Treasury. They do not stand in any immediate need of the payment because, as I said, they have \$5,000,000 available to them now in the Treasury.

Mr. REED. The Senator asked unanimous consent. I am curious to know—

Mr. SHEPPARD. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SHEPPARD. It is my understanding that the Senator from Massachusetts [Mr. LODGE] asked that the pending business be temporarily laid aside, in order that he might present a joint resolution for the appointment of a regent of the Smithsonian Institution. Am I correct?

The PRESIDENT pro tempore. That joint resolution was presented and passed, and then the Senator from Arizona [Mr. ASHURST] asked unanimous consent to have the joint resolution presented by him from the committee considered.

Mr. ASHURST. If the Senator will yield to me, I will withdraw it.

Mr. UNDERWOOD. It may be that the Senator will not after I state the parliamentary situation as I understand it. Before the hour of 2 o'clock arrived, before laying the unfinished business before the Senate, which has not been done yet, the Senator—

The PRESIDENT pro tempore. The Chair will state to the Senator from Alabama that he is in error in that respect. The Chair laid before the Senate the unfinished business at 2 o'clock.

Mr. UNDERWOOD. I did not so understand. I did not hear the Secretary report it.

The PRESIDENT pro tempore. The Secretary did report it. Mr. UNDERWOOD. Then I was mistaken.

Mr. SHEPPARD. I ask unanimous consent that the unfinished business be now resumed.

Mr. ASHURST. If I may have the floor for a moment, I do not wish in any sense to impede the progress of the unfinished business. I thought I saw an opportunity to pass the joint resolution. I think it ought to be passed; it is an important measure; but I withdraw it rather than impede the progress of the unfinished business.

Mr. REED. Mr. President, a parliamentary inquiry. The joint resolution having been laid before the Senate by unanimous consent, and unanimous consent having been given for its present consideration, is it subject to withdrawal by anybody? Is it not before the Senate and the unfinished business of the Senate now by unanimous consent?

The PRESIDENT pro tempore. The Chair would be inclined to submit such a question for the determination of the Senate.

Mr. HUGHES. I make the point of order that there is no quorum.

The PRESIDENT pro tempore. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Martin, Va.	Smith, Mich.
Bankhead	Gore	Martine, N. J.	Smoot
Beckham	Gronna	Nelson	Sterling
Brady	Harding	Norris	Sutherland
Brandeggee	Hardwick	Overman	Swanson
Bryan	Hitchcock	Owen	Thomas
Chamberlain	Hughes	Page	Thompson
Chilton	Husting	Phelan	Townsend
Clapp	James	Pomerene	Underwood
Clark	Johnson, Me.	Reed	Vardaman
Colt	Jones	Saulsbury	Wadsworth
Culberson	Kenyon	Sheppard	Walsh
Curtis	La Follette	Sherman	Warren
Dillingham	Lane	Shields	Watson
du Pont	Lea, Tenn.	Smith, Ariz.	Williams
Fernald	McCumber	Smith, Ga.	Works
Fletcher	McLean	Smith, Md.	

Mr. THOMAS. My colleague [Mr. SHAFROTH] is absent on account of illness. I will let this announcement stand for the day.

Mr. CHILTON. I wish to announce that the Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family.

Mr. OVERMAN. I desire to announce the absence of my colleague [Mr. SIMMONS] on account of illness.

Mr. HUSTING. I desire to announce that the Senator from South Dakota [Mr. JOHNSON] is absent on official business.

Mr. MARTINE of New Jersey. I wish to announce that the Senator from Illinois [Mr. LEWIS] is detained at home by illness.

The PRESIDENT pro tempore. Sixty-seven Senators have answered to their names. There is a quorum present.

Mr. ASHURST. Mr. President, during the morning hour I attempted to secure recognition for the purpose of making a favorable report on House joint resolution 306, but I was unable to secure such recognition. Some moments ago I secured recognition for the purpose of making a report from the Committee on Indian Affairs on House joint resolution 306. I made a brief explanation as to the same, at the request of the Senator from Missouri [Mr. REED]. The joint resolution, as I said, is important. The Senator from Oklahoma [Mr. OWEN], who was called from the Chamber, requested me to make this report, and I very gladly did so, because I saw the importance of the Senate acting favorably upon it. To my surprise, certain opponents of a certain bill, I fear, are going to use my report as a subterfuge through which they may talk, apparently, upon the report I have made on another bill. Not wishing to put myself in a position where I am innocently and inadvertently impeding the progress of other legislation, I now withdraw the report.

Mr. REED. Mr. President—

Mr. ASHURST. I have it in my possession, and withdraw it. Mr. REED. I make the point of order that the Senate by unanimous consent has proceeded to the consideration of the joint resolution; that that is the business before the Senate; and that no individual Senator can arrest the work of the Senate upon which it is proceeding by unanimous consent by stepping to the desk and getting the report on the bill and carrying it away in his pocket. That is a method of withdrawing business from the Senate which is unique.

Mr. ASHURST. And effective.

Mr. REED. But which I have never known to be effective, except, possibly, in some of the western courts where the Senator has practiced with great distinction.

Mr. SHEPPARD. I call for the regular order.

The PRESIDENT pro tempore. The Senator from Missouri will state his proposition.

Mr. SHEPPARD. My point is that since the unfinished business was laid before the Senate the Senate has taken up one or two matters only by unanimous consent, and that the consideration has continued only because no objection was raised. I ask that the regular order be laid before the Senate, which is Senate bill 1082, the unfinished business.

Mr. REED. Mr. President, that is a unique position, that when a bill is laid before the Senate by unanimous consent it then only remains there as long as everybody unanimously consents to have it remain. That is the first bit of parliamentary law of that character that I have ever heard.

Mr. SHEPPARD. I ask for a ruling of the Chair.

Mr. REED. Unanimous consent was asked to take up the joint resolution for present consideration. Unanimous consent was granted. Thereupon the Senate proceeded to the consideration of the joint resolution. It was duly read to the Senate; it is before the Senate, and nothing can take it away from the Senate except a vote by the Senate. Not even the strong right arm of the Senator from Arizona can withdraw it by taking physical

possession of the papers. If the Senator really meant that seriously and if he were to persist in it, he would place himself in contempt of the Senate, and I know he would not do that. He would violate every rule and law and precedent. It would then get to be a question when anybody wanted to stop the passage of a bill of rushing to the Clerk's desk and grabbing the papers and making a speedy exit; and "the race would be to the swift" and "the battle to the strong"; the fellow who could grab the most and run the fastest would be the most effective legislator and the greatest statesman.

Mr. HITCHCOCK. Mr. President, I desire to make a parliamentary inquiry. Is it not a fact that a point of order was made at the time the Senator from Arizona attempted to withdraw the joint resolution and the Chair submitted that point of order to the Senate, and that that point of order is now before the Senate?

The PRESIDENT pro tempore. No; the Senator from Nebraska is mistaken. The Chair simply stated that he would be inclined to submit it to the Senate. He did not submit it to the Senate.

Mr. HITCHCOCK. It was not submitted?

The PRESIDENT pro tempore. It was not submitted.

Mr. KENYON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Iowa will state it.

Mr. KENYON. Does the RECORD show that unanimous consent was granted? My recollection is that the question was raised as to unanimous consent, but no opportunity was given to object and the discussion started off at once.

The PRESIDENT pro tempore. The Chair will state that unanimous consent was given and the Secretary proceeded to read the joint resolution.

Mr. SHEPPARD. Mr. President, regular order.

Mr. SMOOT. I understood the regular order was that there had been a point of order raised to this effect, that unanimous consent having been given to the consideration of the bill the Senator asking unanimous consent for the consideration of the bill had no right to withdraw his request, that that rested entirely with the Senate of the United States, and it could only be obtained by the unanimous consent of the Senate or by a vote of the Senate. Am I right?

The PRESIDENT pro tempore. That was the point which was made when it was stated that the Senator from Arizona desired to withdraw the joint resolution. Now, the regular order is called for, whatever effect that may have on the situation.

Mr. SMOOT. Then the regular order would be the decision of the Chair as to that point of order.

The PRESIDENT pro tempore. The Chair, as the Senate will recognize, is somewhat young in the performance of his duties. It was the understanding of the Chair and it is the statement of the Chair that the unfinished business was laid before the Senate when the hour of 2 o'clock arrived, and that the Senate then proceeded, as is the custom in this body, by unanimous consent to consider matters that were not likely to produce a discussion. Without undertaking to refine and re-refine the rules and distinguish them, the Chair is of the opinion that on a call for the regular order under these circumstances the unfinished business becomes the matter before the Senate for consideration, and will so rule.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. The Chair, of course, would be very glad to submit an appeal from that decision, which will be determined by the Senate.

Mr. SMOOT. Mr. President, just a moment. If the situation is as stated by the Chair, perhaps he is right in his decision; but I understand it differently, and the question may arise at some time when there is a great deal more involved than at present. I understood the Chair to say that we were proceeding by unanimous consent in the consideration of measures that would not lead to debate. Of course, if we had any such understanding, then the ruling of the Chair would be right; but as I understand the record to be, the unfinished business was laid before the Senate and immediately upon that being done by the Chair while the unfinished business was before the Senate the Senator from Arizona rose.

Mr. REED. Will the Senator permit me to interrupt him? Before the Senator from Arizona rose the Senator from Massachusetts [Mr. LODGE] rose and presented some matter to the Senate, upon which action was taken. I did not hear distinctly what it was.

The PRESIDENT pro tempore. It was a joint resolution for the appointment of a member of the Board of Regents of the Smithsonian Institution.

Mr. REED. That intervened, and then the Senator from Arizona rose and asked unanimous consent to present out of

order a joint resolution. The joint resolution was presented. He then asked unanimous consent for the present consideration of the joint resolution. Unanimous consent was granted. That joint resolution is now before the Senate, if a measure can be put before the Senate.

Mr. SHEPPARD. The Chair has ruled differently.

Mr. SMOOT. If the Senator will now allow me to conclude my statement, as I remember, the Senator from Arizona presented a conference report.

The PRESIDENT pro tempore. He reported House joint resolution 306 from the Committee on Indian Affairs.

Mr. SMOOT. Then it was a joint resolution reported from a committee of the Senate?

The PRESIDENT pro tempore. Yes.

Mr. SMOOT. And he asked unanimous consent for its immediate consideration?

The PRESIDENT pro tempore. Yes.

Mr. SMOOT. It being granted, the Senator obtaining the unanimous consent has no right to withdraw his request. The resolution can only be withdrawn by unanimous consent of the Senate or by a vote of the Senate.

I am interested in having no precedent made which might in the future arise to plague us. I should like to see the unfinished business brought before the Senate at this time; but I believe, Mr. President, considering how the request was made and the unanimous consent granted, that the only way that the joint resolution reported from the committee by the Senator from Arizona [Mr. ASHURST] can be laid aside is either by unanimous consent of the Senate or by a vote of the Senate.

The PRESIDENT pro tempore. The Chair will say to the Senator from Utah that the Chair was about to state, on the statement made by the Senator from Missouri of the facts, it is clear to the Chair that the ruling should not have been made as the Chair made it, and that the business before the Senate is the joint resolution reported by the Senator from Arizona.

Mr. SHEPPARD. Mr. President—

The PRESIDENT pro tempore. The Senator from Texas.

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration—

Mr. REED. I had the floor, and have the floor.

Mr. SHEPPARD. The Chair has recognized me.

The PRESIDENT pro tempore. The Chair has recognized the Senator from Texas.

Mr. SHEPPARD. I move that the Senate proceed to the consideration of Senate bill 1082.

Mr. REED. Now, Mr. President—

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. Mr. President, I am a little surprised to be taken off my feet in that way. I had been holding the floor. The Senator from Utah [Mr. SMOOT] in the meantime made his point. I sought to elucidate it. The Chair made his ruling, and I was still standing here on my feet. I do not think I lost the floor.

The PRESIDENT pro tempore. The Chair will state to the Senator from Missouri that he understood the Senator from Utah had the floor, and that immediately upon the conclusion of the statement by the Chair in response the Chair recognized the Senator from Texas.

Mr. REED. I know the Chair meant to be entirely fair.

Now, Mr. President, in view of the statement that was made by my good friend from Arizona [Mr. ASHURST], that he withdrew the joint resolution and that he had it in his possession, I desire to call his attention and the attention of the Senate to the very serious nature of that statement.

Mr. President, in order that there may be no misunderstanding as to the seriousness of removing papers from the desk I call attention to Rule XXX of the Senate, which is as follows:

WITHDRAWAL OF PAPERS.

1. No memorial or other paper presented to the Senate, except original treaties finally acted upon, shall be withdrawn from its files except by order of the Senate. But when an act may pass for the settlement of any private claim, the Secretary is authorized to transmit to the officer charged with the settlement the papers on file relating to the claim.

2. No memorial or other paper upon which an adverse report has been made shall be withdrawn from the files of the Senate unless copies thereof shall be left in the office of the Secretary.

It will be noticed that the language is very plain that—

No memorial or other paper presented to the Senate, except original treaties finally acted upon, shall be withdrawn from its files except by order of the Senate.

So it would appear that the new doctrine of withdrawing a joint resolution from the Senate by grabbing it from the desk and disappearing with it is in the teeth of the Senate rules.

It also appears that the methods of the Senator from Arizona are not entirely a new discovery; that they have been resorted to in the past. In hastily glancing at Jefferson's Manual in the few moments which have intervened since this unique ques-

tion was raised—unique now, although not in the past—I find the following at page 93, section 16:

SECTION XVI.—ORDER RESPECTING PAPERS.

The Clerk is to let no journals, records, accounts, or papers be taken from the table or out of his custody. (2 Hats., 193, 194.)

Mr. Prynne, having at a Committee of the Whole amended a mistake in a bill without order or knowledge of the committee, was reprimanded. (1 Chand., 77.)

Now notice this:

A bill being missing, the house resolved that a protestation should be made and subscribed by the members "before Almighty God and this honorable house, that neither myself, nor any other, to my knowledge, have taken away or do at this present conceal a bill entitled," etc. (Parliamentary debates, 5 Grey, 202.)

Imagine the condition we would be in should the Arizona practice prevail. It would no longer be necessary for any Member of the Senate desiring to obstruct the public business or to defeat a bill to resort to the tedium of debate, to weary himself in intellectual or verbal effort. All that he would have to do would be to get his fingers on the bill. Of course, he might do that in several ways.

Mr. VARDAMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do; certainly.

Mr. VARDAMAN. In view of the spirit manifested by the Senator from Missouri, I want to ask him if he will consent to vote on this bill next January—12 months from now?

Mr. REED. Oh, very much sooner than that. The fact that the Senator from Mississippi is impatient to vote upon the bill leads him to misconstrue the motives of those who want to proceed in order and under the rules of the Senate. There are many very splendid gentlemen in the world who allow their enthusiasm frequently to becloud their usually calm judgment. I hope that no one will be so unkind as to intimate that a just defense of the rules of the Senate is in the nature of the obstruction of public business. On the contrary, the only way to facilitate public business is to proceed in due order; it is the only way to safeguard the public rights. The man who undertakes these short-cut methods breaks down the orderly course of procedure and introduces chaos into the public business.

I was when interrupted remarking, Mr. President, that there would be several ways under this new rule to stop business. A bill might be withdrawn by force and arms. In that event the physically strongest man in the Senate would be the most effective. We would find men elected to this body because they are qualified for the contests of the prize ring or for rough-and-tumble battle. I was about to suggest that the method of withdrawing a bill might be under the Marquis of Queensberry or the London rules, but as we have gentlemen who prefer to pay no respect to the rules of the Senate, I apprehend they would be equally iconoclastic with reference to the rules of the prize ring. Accordingly, there would be no use in having adopted either the Marquis of Queensberry's illustrious regulations or those of the London prize ring. We would soon find ourselves proceeding under "packing-house rules," which, as I understand, permit everything, from the use of thumbs and teeth to the more primitive and feline method of scratching. Again, we might have other means devised for getting rid of business.

Mr. HUGHES. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. HUGHES. I desire to make a parliamentary inquiry. Is the joint resolution, concerning which this debate is now going on, before the Senate?

Mr. REED. Yes, sir. The Chair so ruled.

The PRESIDENT pro tempore. The matter before the Senate is the motion of the Senator from Texas [Mr. SHEPPARD] to take up for consideration Senate bill 1082.

Mr. HUGHES. I understand that, but I mean to inquire are the papers in connection with the matter now before the Senate in possession of the Secretary and are they properly before the Senate?

The PRESIDENT pro tempore. Senate bill 1082 is in possession of the Secretary.

Mr. HUGHES. We are not discussing that. As I understand, unanimous consent was given for the discussion and consideration of a House joint resolution, and a unanimous-consent order was entered for the consideration of that measure. Then a motion was made to dispose of that business and put forward Senate bill 1082. Now, until the motion of the Senator from Texas prevails, if it does prevail, we are supposed to have before us the House joint resolution. The purpose of my inquiry is to learn from the Chair whether or not the papers in connection

with that House joint resolution are in possession of the Secretary?

The PRESIDENT pro tempore. The Chair rules that a decision on that matter or an answer to the parliamentary inquiry is not pertinent to the discussion of the motion to take up Senate bill 1082, but the Senator will be privileged to bring the matter up if the pending motion fails.

Mr. HUGHES. Mr. President, if the Chair please, I do not see how we can properly proceed to dispose of business that is not regularly before the Senate.

The PRESIDENT pro tempore. The Chair will have to rule the parliamentary inquiry out of order. The Senator can take an appeal from the decision of the Chair, if he desires to do so.

Mr. HUGHES. The Chair can not very well rule a parliamentary inquiry out of order. He can refuse to give a Senator the information if he has it, or plead his own ignorance, and say the Chair does not know whether the papers are on the Secretary's desk, but I am certainly entitled to that information. I am entitled to know whether or not the Senate is in possession of those papers.

The PRESIDENT pro tempore. The Chair will probably be able to furnish the Senator with that information when it becomes pertinent to the discussion.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. Mr. President, I wanted to complete my elucidation of this new method of transacting business. It might be that strength would not always prevail. Fleetness of foot and skill of hand might come into play. I imagine that a well-trained juggler might be a very valuable asset to have on either side of the Chamber, because the skill with which he could use his fingers might enable him to cause a bill to disappear by the employment of that species of legerdemain known as "Now you see it and now you don't see it."

Again, Mr. President, if a Senator can exercise this right, I do not see how any clerk having possession of the bill might not defeat its passage by putting it in his pocket and walking away with it. So, I think that if we were to adopt this singular method of withdrawing bills we would speedily reach a point where filibusters, at least, would not be necessary in the Senate. I imagine that we might have saved sitting up in the Senate for many long weary hours last summer a year ago when there was a filibuster going on against the river and harbor bill. At that time some very excellent Members of the Senate imagined that they smelled in the bill vast quantities of "pork," and that in contending against it night and day through the long, sultry hours they were doing a service to the country and saving the people much money. If the opponents of the bill had been acquainted with the Arizona rule, it would have been very much more convenient and expeditious to have simply had some one purloin the bill, and thus to withdraw it from the consideration of the Senate. We would not have had to maintain a quorum here all through the long, hot nights, but the country would have been saved, in the opinion of the gentlemen who were opposed to that particular measure. However, I do not desire to go further into detail. I think the imagination of Senators will be sufficient to paint the picture.

Now, Mr. President, I do not like to cavil with the Chair; but if it be true that a bill laid before the Senate has been, or may have been, withdrawn without the consent of the Senate, or if any Senator desires to ascertain that fact, surely the inquiry is one of the highest privilege and takes precedence of every other question. There can not, on consideration, be much dispute about that. The President pro tempore is of the opinion that, because there is a motion pending, the particular interrogatory can not be propounded; but the interrogatory could be propounded at any time, I maintain, with reference to any paper before the Senate, no matter what motion was pending; and it is especially true that it could be propounded in this instance. Why? Because, as the Record shows, a certain bill was laid before the Senate and is now before the Senate, and is the property of the Senate and is the business of the Senate.

Mr. GALLINGER. Mr. President—

Mr. REED. One moment. A motion is made, then, to take up another bill. That involves the question as to what business is before the Senate. The business before the Senate is contained in a paper that is the property of the Senate, and the Senate has a right to know whether that paper is here or not. I now yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, it is very clear to my mind—and, in fact, that has been the custom of the Senate, as I have observed it through a long period of years—that a report or bill can not be withdrawn when it is once before the Senate except by unanimous consent or upon motion.

But what I rose particularly to say to the Senator was that I think he has been pretty severe in his animadversions upon the Senator from Arizona [Mr. ASHURST]. The Senator from Missouri speaks of "purloining a bill." Now, undoubtedly the Senator from Arizona had no intention of taking possession of the bill and keeping it in his possession, but he stepped to the desk and took it, as all of us have done on very many occasions. So, I think really that the Senator comes pretty near transgressing the rule, that dishonorable motives should not be imputed to Senators, when he says that the Senator from Arizona had any purpose in suppressing the bill in that way. I do not think he had.

Mr. REED. Mr. President—

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. REED. Yes.

Mr. ASHURST. I wish to thank my friend, the Senator from New Hampshire [Mr. GALLINGER], for his defense of my act in stepping to the desk and getting the bill, but I think the Senator is unduly alarmed. The ferocity of my distinguished friend from Missouri is only verbal.

Mr. REED. It never is any other way.

Mr. ASHURST. His ferociousness is only a verbal ferocity. He would be incapable of carrying out here or elsewhere in any way any of the threats and insinuations that he might make against me or any other person. He dearly loves a joke on all persons except himself, and then when the joke is upon himself he is very much like a hen on a hot griddle. If I have contributed to his amusement I am very much pleased.

Mr. President, I have not said a word in regard to the liquor bill. I felt that others who were interested in the legislation—

Mr. REED. Mr. President, I hope I am not losing the floor.

Mr. ASHURST. I only desire to take a moment.

Mr. REED. I am not going to object, but I do not want to lose the floor.

Mr. ASHURST. The Senator will not lose the floor. I only want it for a moment. I expect to vote against the referendum proposal and for the bill providing that the District of Columbia shall be "dry." A great many men say the saloon was put out of business. It was not; it committed suicide in Arizona and everywhere else by adopting in politics the tactics which my distinguished friend has adopted this morning. Let us be men and have a vote on that bill. I did not intend to say a word about it, but, as I have said, the saloon committed suicide because it spewed its slime upon politics, always unfairly and never fairly, and it ill becomes the Senator from Missouri or any other Senator to interpose extremely technical objections and motions against this bill, and it ill becomes him, pretending to be a friend of mine, to insinuate that I have purloined a bill.

Mr. President, that is all I have to say. If the Senate wishes to have me return to it House joint resolution 306 it will be returned. The interests of the Indians of Oklahoma may suffer, and whisky will still dominate the Capitol.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. If the Senator from Arizona before speaking had permitted me to reply to the Senator from New Hampshire [Mr. GALLINGER] I should have said that the furthest thought from my mind was any reflection upon the Senator from Arizona. I do not think that I used the term that the Senator had "purloined the bill." I stated that the Senator had said that he had withdrawn the bill and had it in his possession. Then I proceeded to discuss what might occur if the practice of withdrawing bills by taking physical possession of them were adopted; but in nothing that I said was I for a moment intending to reflect upon my friend the Senator from Arizona. He could not get me angry with him if he tried for a week, both because, as he has very pointedly said, I have nothing but verbal courage, and I know the Senator possesses every other variety of courage, and therefore, in my timidity, I would take refuge alone in words, and also because I hold him in the highest esteem, regard, and friendship, and, if the term were not too tender to employ as to the relations between men, I would say that I entertain for him a genuine affection. I know that he never stole or even purloined anything in his life and never will, but in his impetuosity and in his desire to extricate the prohibition bill from the parliamentary tangle in which it became involved, he did get the papers and announced himself that he had them; that "he had withdrawn them" and "had them in his possession," which I took to be tantamount to the assertion of a right to take the papers—not a purloining, but a taking in the broad daylight as of right. It was against that innovation I was directing my feeble and very gentle remarks. I hope that the Senator from New Hampshire will not always think that when I am discussing hypothetical cases I am referring to particular individuals.

Now, Mr. President, I am coming seriously, however, to the question propounded by the Senator from New Jersey. He asked for information from the desk as to whether a paper belonging to the Senate, and upon which the Senate was then deliberating, was in the possession of the Senate. The Chair declared that that question he would answer at the proper time, and that it was not pertinent at that time. I simply want to put in the RECORD, for whatever value it may possess, my assertion of the belief that a question of that kind is always pertinent; that it is of the highest privilege; and that it should always be promptly answered.

Mr. President, as to the remarks of the Senator from Arizona—some of them unkind, to the effect that I was pursuing the methods of the saloon by discussing his method of withdrawing papers—that is so far from the record in the case that I would not reply to it, but I know the remarks of the distinguished Senator may be torn from their context, published broadcast in this country, and I might be completely ruined; and therefore I protest that when I insist upon observing the rules of the Senate I am not pursuing the methods of saloons or any other methods but proper methods.

I hold no brief to defend saloons. There are two lines of thought in this country, held by men of equally honest purposes. One is that the way to stop the liquor evil is to pass a law absolutely prohibiting it in all parts of a country regardless of the personal views, the habits, or the methods of life of any of the people of that country. The other view, held by men who are equally devoted to the cause of temperance, is that the best way to suppress the evil is to deal with it as a local question, adopting prohibitory measures in those communities where there is a preponderance of opinion against the liquor business, and allowing a strict regulation in other communities, and to pursue this method until the people of all the various communities shall see fit to abolish the evil.

A map has been printed here. All of the United States that is shown in white, we are told is "dry." A few years ago it would have been nearly all shown in black. The white represents the "dry" territory, the black the "wet" territory. Thus, magnificent progress is shown to have been made. Now, when men entertain the view that this is a local question or a State question and that that is the best way to handle it, it is highly unfair, it is unjust, it is ungenerous, for any man to assert that one holding that kind of a view is in league with saloons. Because I do not see a question in exactly the same light as the Senator from Arizona it does not signify that he is a saint and I am a sinner, that he is a purist and I am in league with the powers of darkness. Both of us are driving to the same end, but he conceives one method to be the best and I conceive another method to be the best.

It is so with many other questions. There are those who believe in woman suffrage and, believing in it, would have a constitutional amendment adopted forcing it upon all States. There are others who believe it is a question to be settled by each State for itself. A man can entertain the latter view and be as much a friend of woman suffrage, and perhaps more, than the man who entertains the view in favor of an amendment to the national Constitution, forcing universal suffrage upon all States.

These gentlemen who thus drive on, demanding national legislation in favor of a proposition, overlook a very important consideration—that the power to enact that which they desire implies likewise the power to reverse that which they desire, and that if this country were to declare in favor of reposing in a general constitutional provision the right of women to vote, and we were to strike down the old principle that that is a question for each State to settle for itself, if discontent ever arose the Constitution might be amended to take away the right of suffrage from the women of the States, even though some States desired to grant it. The evil consists in destroying the right of the people in each State to deal with the question of suffrage for themselves.

In the particular bill that is before the Congress, it is proposed on the one hand to submit the question of prohibition to the people of the District. If that were done, if that precedent were established, it would furnish a very strong argument, if there should be a "wet" Congress elected here three or four years from now—which might readily occur—for the advocates of prohibition to say: "This law should be again submitted to the people of the District, and Congress ought not to exercise an arbitrary power." It might be a very strong bulwark in favor of the maintenance of prohibition in this District. It might be the means of preserving it. In the enactment of these various measures of reform, driving ahead to do something because we desire to do it in a speedy manner, we very frequently make the mistake of forgetting that the power we are employing and the means we are invoking may be em-

ployed and invoked by those who are upon the other side of the question.

Let me illustrate. There was a great demand in this country for the referendum. It was said that legislators were too much under the domination of certain sinister influences, particularly capitalistic influences; that railroads had too great a control with members of the legislatures of various States, and therefore that a right should be given to the people of a State to compel a reference of any law to them for their direct vote. Those who were the advocates of that measure were acting in good faith. They proceeded, and would heed no warning or suggestion. Every man who had a word to say against the referendum, or who called attention to the fact that it might become an evil, was at once denounced as a friend of corporations and as an enemy of the rule of the people.

So these laws were engraven upon the statute books of many States, including the State of Missouri. But, now, how has it worked? I am not familiar with other States, but I say to the Members of the Senate that since the enactment of that law we have not been able to crystallize into law in the State of Missouri a single great measure for the control of the corporations of that State. The same agitation that brought about the initiative and referendum, the same cry for relief, brought us general assemblies ready to enact the remedial legislation we desired. They did enact it, and immediately the corporations that were to be affected circulated referendum petitions. The moment those petitions were filed in accordance with law the law was suspended until the next general election, when a referendum vote would be taken by the people.

It has transpired in every one of these elections that a great number of propositions have been submitted to the people, so multitudinous, so intricate, that the voters have not understood what they were intended to accomplish, and accordingly, preferring the ills they suffered to those they knew not of, they have voted "no" on every proposition. I think until the last general election not a single measure has carried by a referendum vote. At the last general election I believe, although I am not certain—for the vote had not been fully returned the last time I heard from my State—there was a proposition passed to pension blind people.

I cite our experience merely that the Senate may understand that it is not always those who drive on regardless of principles or precedents who make the most speed. I utterly repudiate the statement that I stand here as the advocate of the saloon, or that I am in league with saloons. I imagine that I am as temperate in my habits and as much a friend of temperance legislation as the distinguished Senator from Arizona or any other man on this floor; but there can be an intemperance in legislation, and men can proceed so far as to destroy the very purposes they have in view.

Consider the case of forcing a law upon a people if nine-tenths of the people are against that law. Such a law under such conditions has never been enforced in the history of this country; and if not enforced, then the law comes into disrepute, and the evils which result from the dominance of an element that disregards the law far exceed the evil it was sought to remedy.

This has been tried. Bootleggers, blind tigers, murders, crimes, feasting places of villainy—all these things have followed in the wake of intemperate action, whereas proceeding along the line of submitting these questions to local people has resulted almost without exception in a sound enforcement of the law, in the building up of the moral tone of the people, in the eradication of the evil, and in the promotion of temperance. So that those who do not see these questions through the identical lenses of others may be, after all, the soundest and best friends of temperance and sobriety.

I regret that my friend from Arizona, with whom I was endeavoring to have a little pleasant passage at arms, saw fit to allow himself to make some derogatory remarks about my motives and purposes. Now, what are the facts?

The District bill was the unfinished business. It was laid before the Senate as the unfinished business. Everybody knows that when another legislative matter is laid before the Senate it becomes the unfinished business. The author of the District bill consent that another legislative matter should be introduced, or at least that another matter requiring the action of the Senate should be introduced by the Senator from Massachusetts [Mr. LODGE]. That, of course, had the effect of laying aside the regular order, of laying aside the District bill. Thereafter the author of the District bill allowed the Senator from Arizona [Mr. ASHURST] to ask and gain unanimous consent to take up another bill. He, of course, knew that that indefinitely laid aside his bill. He consented to it. He gave his own consent. Thereupon I asked the Senator from Arizona some questions in the best of faith—questions that I would have asked and

which ought to have been asked under any circumstances, because the Senate ought not to pass a bill affecting millions of dollars without some information; and it was during that time that the interesting fact developed that the Senator from Arizona said that he had withdrawn the bill, and that he had it in his possession. That led me to make some remarks upon the effect of that practice.

Now, Mr. President, I have said all I care to say on this question. I am glad the papers were returned, and I hope that the Arizona method will not be hereafter regarded as a precedent to be followed.

The PRESIDING OFFICER (Mr. HARDWICK in the chair). The question is on the motion of the Senator from Texas.

Mr. UNDERWOOD. What is the pending motion?

The PRESIDING OFFICER. The motion of the Senator from Texas [Mr. SHEPPARD] to proceed to the consideration of Senate bill 1082.

URGENT DEFICIENCY APPROPRIATION.

Mr. UNDERWOOD. Mr. President, when I was interrupted by an effort to take up a bill by unanimous consent I was discussing some of the features of H. R. 19178, a bill making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes, carrying urgent deficiency appropriations for the Army. I was discussing the effect of compulsory military service on the opportunities of the young men of the country. I had given in some detail my views in reference to the effect of depriving these young men of the opportunity to get a college education and taking them away from their opportunities in life at the very age when business character was developing alongside of business opportunity. But it has another effect on the development of the character of men. It is not only depriving them of education, but the difference in the environment in which they must live must have a very serious effect on the character of the growing generation.

I am not now referring to the moral character of these men, but I am referring to the mental character, to the line of development for life work. Of course, I know that there are those who contend that by driving the youth of this country into military service we may improve conditions of labor and conditions of life in this country. The first question, though, is as to whether we are going to improve the conditions of citizenship, because the first place a man must occupy for the good of the country is the place of a good citizen; and the question to be considered is as to whether pouring men into a military mold, to turn them out by military law and military procedure, makes a higher class of citizenship, makes men with higher ideals of life, both moral and mental, than by giving them an opportunity of free development along the lines that they believe they are best fitted for, and in the bent to which their nature drives them.

My own judgment is that if we are to change the whole life of the Nation—a life we have lived for 136 years—and mold ourselves into a military nation, with all the limitations that must come from the change of form, it will not be beneficial toward the upbuilding of a great citizenship.

Except in actual time of war, we have never had anything in this country that approached compulsory military training. The youth of this land have grown up with home surroundings to guide their path in life with the opportunity when manhood was reached to branch out without limitations upon them except those that their mental capacity and ability to endeavor might place upon them. What is the result? As I said awhile ago, we have seen a man start out as a rail splitter in life and become one of the two greatest Presidents of the United States. We have seen a boy come from a cobbler's bench to be the Chief Executive of our Nation. We have seen boys who started out in life in the great iron mills of this country with nothing but their hands and their brains and their character to build upon, and we have not only seen them come to the head of an industry in which they served and we have seen them develop a great industry from a point where it was hardly to be counted in the competition of the world's traffic to a point where to-day they have developed it to be the master industry of the whole world. We have seen the office boy in a bank become the great financier of the Nation. We have seen the newsboy on the street reach the exalted position where in the forum of the church he became the master advocate of all that stood for good morals and good life, a leader among the men of the Nation.

Opportunity, Mr. President, under our system of freedom for 136 years has been given to the youth of our land, and now it is proposed, not for anything that is happening on our shores, not for anything that confronts us at our gates, not for any cause of quarrel that we have indulged in, to change the whole system of the Nation, to mold men in a military mold, and take away from them that freedom of action that has been the building of our men for a century and a quarter past.

Look to the shores of Europe. Look to the countries beyond the seas that have developed under a compulsory military system. It is true they have had great statesmen, great rulers, great scientists, great advocates; but as a rule they have not come from the people; they have been the birth of an aristocracy. In those countries in Europe that have maintained a compulsory military system, such as Germany and France and Austria, have you found a peasant boy who has become a Lincoln? Have you found the man in the foundry who delves with his hand becoming the captain of great industrial enterprises? Have you found the opportunity for the boy of poverty and want through his character and his brains and ability to build himself up until he becomes the head of a nation? No.

The human race has never developed in confinement. You might as well tell me that you can take a highwayman and improve his character by putting chains about his legs and locking him in a dungeon where he can not commit crime and say that in doing so you have developed his character, his integrity, and his morals, because you have chained him away from crime, as to say that you can make men of high and moral character by putting them in a strait-jacket or confining them in the ranks of a regiment. Men's characters are building; they grow; and no man can grow in confinement any more than a plant can grow in the darkness. For a man to develop physically he must have the opportunity for physical exercise. For a man to develop mentally you must give him the opportunity for mental exercise. For a man to develop morally he must have the opportunity to resist temptation and rise above it. You may keep his hand out of his neighbor's pocket by force, but you do not keep his heart from being the heart of a thief by force.

It is in this field of free opportunity, free effort, free development, a great Nation and a great people have been built, and you will never be able to accomplish it by driving the youth of the land into military camps in time of peace.

I am not complaining against military training. In fact, I think a certain amount of military training is a good thing. It is a wise thing to do; but unless the life of the Nation demands it, I say it is an unwise thing to make military training compulsory. You build a machine to mold the character of these young men in the hour when their character is building and forming for life. I have had many letters on this subject. One I bear in mind. Last summer when it looked like this country was going to become involved in war on our southern border the President of the United States summoned troops to the colors.

The recruiting sergeants were filling the vacant places in the ranks. One boy of 18 in my State enlisted at his country town without the knowledge or consent of his parents. He was carried to the mobilization camp. Congress changed the law after he had been taken there, fixing the age at which a boy could legally enlist, without his parents' consent, at 18 instead of 21. This boy was then locked within the grip of the military service of this country. Then I received a letter from his mother appealing to me to get him out, saying the boy was not one of those strong young oaks that grow on the mountain tops; that he was a good boy, but that he was a weak boy; that he needed a mother's fostering care and the protection of a mother's loving arms; that she did not want her boy carried to a camp at the age of 18 and thrown in contact with older men whose characters in life were formed and whom she did not know. She did not want them to form the character and the life of that boy. She wanted to do it herself until he became older. I tried to secure the discharge, but he had made his contract and the law had said his contract was legal. The Government said we need men on the line, and he is there to-day. For good or for worse, somebody else is building that boy's life and character and not the mother with home surroundings.

That is the history of only one boy; but if you go to the compulsory military service of this Nation it means the same for all boys. It means for your boy and for my boy. I do not for a minute say that it should not mean your boy and my boy if his country needed him; we should be ready to give our boys to protect the life of the Nation if it is necessary; but in an hour of profound peace, a time when there is no nation threatening us, with a strong probability that no foreign foe will ever put his foot on American soil in five generations yet to come, shall we give up the present life of our Nation, the present opportunities of youth to adopt the methods of nations that for hundreds of years have been confronting each other with fixed bayonets? I do not believe it is the way to build youth into manhood. I know it is not the way to build a free nation.

But I have digressed from the real point I rose to discuss, and that is the National Guard and the reflections that have been made upon it by some high in authority. You should bear in mind, Mr. President, that this National Guard throughout the

United States was made up not of professional soldiers, not of men who had given their lives to war and the preparations for war, but it was made up of the young men of this land who were engaged in civil pursuits, who had homes and wives and families dependent upon them, who had enlisted in the National Guard of their several States, for what purpose? For the purpose of going beyond its border, of invading foreign countries? No. But for the purpose of protecting the peace and the property and the honor of their own States. Bear in mind that these men when called to the colors to serve their country had made no contract to serve the Government of the United States. When they made their original contract, enlistment service under the command of the President of the United States was not contemplated and it was not in the contract. It is true that we had a law on the statute books that authorized the units of the National Guard to volunteer for service in the Federal Establishment if they desired to do so, but there was no compulsion.

Then trouble arose on the Rio Grande. The black cloud of war seemed to loom on the horizon, and the President of the United States very properly, in order to protect the lives of American citizens, called the National Guard to the colors, and the Congress passed a law providing for the enlistment of the National Guard in the Federal constabulary, and providing that under their term of enlistment these men should take an oath to serve for seven years, three years with the colors and three years in the reserves.

Mark you, Mr. President, that when these units of the National Guard responded there was no obligation on their part to take the Federal oath except the obligation to serve their country well, the obligation of a patriot. Up to that time they had made no contract with the Government of the United States. Those in authority controlling our Army had not trained them, had not developed them, had only partially equipped them, and yet, Mr. President, almost to a man these men in the National Guard responded and took the Federal oath, signed the contract to serve their country, and were ready and prepared to go to the border and do their duty on the firing line.

That was in July. Congress only a few months before had passed laws making the National Guard the second line of defense in this country, providing for its organization and equipment. As I said up to the time when they were called out they had not taken the oath, they had not been organized; they had not been trained; they had not been given equipment for national service, and most of the men in the column had not gone into the service contemplating foreign service that would take them away from their homes.

Now, Mr. President, what I say is that it is no fault of these men that they were not trained. They have had no opportunity for training. In fact, if the Regular Army of the United States had been called to service and recruited with only the opportunity for training that has been given to these men in the National Guard they would have made a more complete failure than anything that has been charged against the State troops.

In my judgment, there is another reason that might interfere with the efficiency of the guard to-day, that would not to-morrow. Many of the men who responded because they thought it was a war summons would not have responded under other circumstances. They have left remunerative employment; they have left high salaries; they have left people at home to support; and although they are willing to give their lives and their services in time of war they feel that in time of peace the ones near and dear at home are entitled to their service first. Naturally they want to leave the service.

In the future every man who enlists in the National Guard will know as a part of his contract that he may be summoned for military service, and the man at home who has a family dependent on him will not enlist. It will only be confined to those younger men who have an opportunity to go without undue sacrifice. As a matter of fact, in my view, they are not being dealt with in a manner that will upbuild the service even after they have been trained and mustered out.

I note that the companies that are being sent home, Artillery companies for instance, probably having 140 horses or in that neighborhood. They are mustered out and sent back to their home camps. All their horses are taken away from them except probably 30. Then if they are again summoned to the colors how do you expect efficiency when they have to get 100 horses and train them before they can go to the front? Do those in command of the Regular Army expect to have a trained and organized efficient National Guard as the second line of reserves when they pursue a policy of taking the weapons of warfare out of their hands for training when they return to their homes and are not at the front?

What I want to say, Mr. President, in reference to this bill—and I want to complete it this evening if the Senate will bear with me for just a moment—is that we have a bill here to pay \$4,000,000 to take care of the destitute at home of the soldiers who have gone to the front. Is there a man here who does not think they are entitled to it? They did not enlist with any idea of going to the front when they joined the National Guard. They are not professional soldiers. They only joined a citizen soldiery contemplating only home service; but you have ordered them to the front; you have taken the breadwinner out of the house, and in many cases the bread out of the mouths of his children. Then shall we be niggardly in the amount that we will pay these men and their families at home whilst they are serving their country on the border under these circumstances?

So far as I am concerned, I think they deserve every dollar of this money; so far as I am concerned, I am in favor of giving to the families of these men who were sent to the border under these circumstances the last dollar that the War Department says is needed to take care of them.

Mr. STONE. Would it interfere with the Senator from Alabama if we could have an executive session?

The PRESIDING OFFICER (Mr. HARDWICK in the chair). Does the Senator from Alabama yield to the Senator from Missouri?

Mr. UNDERWOOD. I shall be glad to do so, but I was just about concluding, and I think possibly we may reach some agreement about the pending business before we go into executive session.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

Mr. SHEPPARD. Mr. President, I should like the unfinished business laid before the Senate, and then I desire to submit a request for unanimous consent.

The PRESIDING OFFICER. If the Senator from Alabama has yielded the floor, the question is on the motion of the Senator from Texas [Mr. SHEPPARD] to proceed to the consideration of Senate bill 1082. Does the Senator from Alabama yield the floor?

Mr. UNDERWOOD. I yield for that purpose.

The PRESIDING OFFICER. Then the Senator from Texas is recognized.

Mr. SHEPPARD. I ask for a vote on my motion, Mr. President.

The PRESIDING OFFICER. The question is, Will the Senate proceed to the consideration of Senate bill 1082?

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

Mr. SHEPPARD. Mr. President, I now desire to submit a request for unanimous consent that a day be fixed for a final vote on the pending measure.

The PRESIDING OFFICER. The Secretary will state the request for unanimous consent proposed by the Senator from Texas.

Mr. SHEPPARD. Should not the roll of the Senate first be called?

The PRESIDING OFFICER. The Secretary will first state the request for unanimous consent.

The SECRETARY. The Senator from Texas [Mr. SHEPPARD] submits the following request for a unanimous-consent agreement:

It is agreed by unanimous consent that at not later than 1 o'clock p. m. on Friday, January 5, 1917, the Senate will proceed to the consideration of S. 1082, a bill to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes, and during that calendar day will vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said day, January 5, 1917, no Senator shall speak more than once or longer than five minutes upon the bill or more than once or longer than three minutes upon any amendment offered thereto.

Mr. UNDERWOOD. As I understand, under the agreement as it stands the bill really could be taken up and voted on to-morrow; but I take it the understanding is that it shall go over as the unfinished business until after the Christmas holidays.

Mr. SHEPPARD. That is the understanding.

Mr. UNDERWOOD. That is satisfactory to me. Will the 5th of January be the first day after the holiday recess or the second day after that recess?

Mr. SHEPPARD. It will be the third day after that recess.

Mr. UNDERWOOD. Very well. I do not want the vote to come on the first day after the recess; that is all.

The PRESIDING OFFICER. The Secretary will now call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	McCumber	Smoot
Bankhead	Gonna	Martin, Va.	Sterling
Beckham	Harding	Martine, N. J.	Stone
Borah	Hardwick	Newlands	Sutherland
Brandegee	Hitchcock	Norris	Swanson
Catron	Hollis	Overman	Thomas
Chamberlain	Hughes	Page	Thompson
Chilton	James	Pittman	Townsend
Clapp	Johnson, Me.	Polindexter	Underwood
Clark	Johnson, S. Dak.	Pomerene	Vardaman
Colt	Jones	Reed	Wadsworth
Culberson	Kenyon	Sheppard	Watson
Curtis	Kern	Sherman	Williams
Fernald	Lea, Tenn.	Shields	Works
Fletcher	Lee, Md.	Smith, Ariz.	
Gallinger	Lodge	Smith, Md.	

Mr. CLARK. I desire to announce the unavoidable absence from the Chamber of my colleague [Mr. WARREN].

Mr. CHILTON. I wish to announce that the Senator from South Carolina [Mr. SMITH] is absent on account of sickness in his family.

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum is present. The question is, Will the Senate agree to the unanimous-consent order proposed by the Senator from Texas [Mr. SHEPPARD]?

Mr. GALLINGER. Let it be again stated, Mr. President.

The PRESIDING OFFICER. The Secretary will again state the unanimous-consent agreement proposed by the Senator from Texas.

The SECRETARY. The Senator from Texas [Mr. SHEPPARD] proposes the following unanimous-consent agreement:

It is agreed by unanimous consent that at not later than 1 o'clock p. m. on Friday, January 5, 1917, the Senate will proceed to the consideration of S. 1082, a bill to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes, and during that calendar day will vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said day, January 5, 1917, no Senator shall speak more than once or longer than five minutes upon the bill or more than once or longer than three minutes upon any amendment offered thereto.

Mr. UNDERWOOD. Mr. President, I should like to ask the Senator from Texas if he will not change his proposal so that it will read on "the 5th day of January," instead of "not later than 1 o'clock on Friday, January 5."

Mr. SHEPPARD. I accept that suggestion.

The PRESIDING OFFICER. That modification will be made by the Secretary, if there be no objection.

Mr. SUTHERLAND. Mr. President, very reluctantly I shall have to object to the proposition as now made, although I am quite willing to agree to any other date for a vote. On the 5th and 6th of January, however, I shall be obliged to be out of the city on important public matters. I am extremely anxious to be here when a vote is taken. I should have no objection to having a vote on the 4th of January or any other date except the 5th or the 6th.

Mr. JAMES. Make it the 8th of January.

Mr. REED. Mr. President, if it will relieve the situation, I will agree to make a special pair with the Senator from Utah, and make the pair nontransferable.

Mr. SUTHERLAND. I prefer not to do that. The Senator from Missouri and I will vote the same way on one aspect of the proposition, and perhaps against one another on another aspect of it. I intend to vote for the referendum, as I have already voted for it, and then, whether the referendum carries or not, I intend to vote in favor of the bill itself on the final vote.

Mr. UNDERWOOD. As I understand, the Senator from Utah states that the 5th of January is not a satisfactory date to him?

Mr. SUTHERLAND. Neither the 5th nor the 6th would be so. The 4th or the 8th, or any other date would be satisfactory to me.

Mr. SHEPPARD. I will accept the suggestion, and make the date the 4th of January.

The PRESIDING OFFICER. Is there objection to that modification?

Mr. MARTINE of New Jersey. I object to making it the 4th of January.

Mr. CATRON. I also object to making the date the 4th of January. I shall be compelled to be absent on that day.

Mr. CURTIS. I suggest to the Senator from Texas that he make it Saturday, the 8th of January.

Mr. SHEPPARD. I suggest that in proper form the date be changed to January 8.

The PRESIDING OFFICER. Is there objection to the request as modified?

Mr. POMERENE. Yes; Mr. President, that is one day I feel that I want to be away, as it is the inauguration day of our governor in Ohio.

Mr. JAMES and Mr. SHEPPARD. Make it the 10th.

The PRESIDING OFFICER. In what form, if any, does the Senator from Texas finally present the request?

Mr. UNDERWOOD. I am willing to agree to any date along there, if the Senator from Texas can get an agreement. Fixing the day seems to be the only trouble. I am willing to agree to the 4th of January.

Mr. JAMES. That has been objected to.

Mr. MARTINE of New Jersey. Well, I will withdraw my objection.

Mr. SHEPPARD. I again suggest that the vote be taken on the 4th of January, Mr. President.

Mr. CATRON. I object to the vote being taken on the 4th.

Mr. UNDERWOOD. Then, I suggest that the vote be taken on the 9th, if that is not Sunday.

Mr. SMOOT. The 9th is Tuesday.

Mr. UNDERWOOD. Then, I suggest that we change the agreement so that the vote may be taken on the 9th of January.

The PRESIDING OFFICER. Is there objection to the request for the unanimous-consent agreement as modified, providing that the vote shall be taken on January 9, 1917? The Chair hears none, the unanimous-consent agreement is made, and the order will be entered.

Mr. UNDERWOOD. Mr. President, I ask unanimous consent to place in the RECORD two resolutions, one by the Washington Board of Trade and one by the Chamber of Commerce of Washington on this subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions referred to are as follows:

WASHINGTON BOARD OF TRADE,
Washington, D. C., December 19, 1916.

HON. OSCAR W. UNDERWOOD,
United States Senate, Washington, D. C.

MY DEAR MR. UNDERWOOD: It is a great pleasure to note the interest you are taking in the District of Columbia referendum amendment to the Sheppard bill which proposes prohibition for the District. The Washington Board of Trade has gone on record in favor of this referendum without aligning itself either for or against prohibition.

As chairman of a special committee appointed by the president of the board, I forward you a copy of the resolution as passed by the Board of Trade, and for your convenience I am inclosing herewith a duplicate copy, again calling to your attention the fact that our organization passed this resolution at a very largely attended meeting and after full discussion.

The membership of the Board of Trade is approximately 1,500, composed of the leading business and professional men of the District, and we feel that the people of Washington should have a voice by means of a referendum on this subject. It is also thought by many that we should have this privilege on subjects that are vital to the welfare of the District.

I thank you very much for your interest in this matter and beg to remain,

Very respectfully,

C. J. GOCKELER,
Chairman Special Committee.

Whereas the effectiveness and value of a law prohibiting the liquor traffic are measured by the strength of the local public sentiment back of such law to compel its enforcement; and

Whereas it is not the purpose of the Washington Board of Trade by this resolution to put itself upon record as either favoring or opposing the adoption of such a law: Now, therefore, in view of the principle involved and the importance of this question to the community at large, be it

Resolved by the Washington Board of Trade, That Congress be requested to authorize a referendum vote of the residents of the District of Columbia to determine whether the community favors absolute prohibition of the liquor traffic or its stringent regulation under a high-license system with small zones of sectional prohibition, in development of the system provided by existing law.

(The above resolution was adopted by the Washington Board of Trade at its meeting on Jan. 26, 1916.)

WASHINGTON CHAMBER OF COMMERCE,
1202 F Street NW., December 20, 1916.

Be it resolved by the Chamber of Commerce, That it favors a referendum on the question of prohibition before any prohibition act is passed by Congress for the District of Columbia.

The above motion was carried almost unanimously at a regular meeting of the chamber, February 8, 1916.

True copy.

THOMAS GRANT, Secretary.

URGENT DEFICIENCY APPROPRIATION.

Mr. MARTIN of Virginia. I ask unanimous consent that the Senate now proceed to the consideration of the urgent deficiency appropriation bill that was laid aside this morning.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the Senate proceed to the consideration of the measure indicated by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19178) making appropriations to supply urgent deficiencies in appropria-

tions for the fiscal year ending June 30, 1917, and for other purposes.

The bill was reported to the Senate without amendment.

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment.

Mr. GORE. Mr. President, I desire to offer an amendment, to come in at the close of the appropriation for the payment of money to the families of dependent soldiers. I move to add the following words:

Provided, That the Secretary of War shall issue or cause to be issued forthwith honorable discharges to such enlisted men in the National Guard, other than commissioned officers, who have dependent families; or, in the discretion of the Secretary of War, he may issue furloughs during the present mobilization, and such payments shall be discontinued during the period of such furloughs.

Mr. MARTIN of Virginia. Mr. President, I make the point of order against this amendment that it is plain legislation, and nothing else.

Mr. GORE. The amendment is undoubtedly subject to the point of order. I had merely desired to submit a few statistics to illuminate this subject.

The PRESIDENT pro tempore. The Chair is compelled to sustain the point of order.

The bill was ordered to a third reading, read the third time, and passed.

VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND, Mr. THOMAS, and Mr. JONES addressed the Chair.

The PRESIDENT pro tempore. The Senator from Michigan. Mr. TOWNSEND. I move that the Senate proceed to the consideration of Senate bill 392.

Mr. LANE. Will the Senator yield to me for a moment?

Mr. THOMAS. Mr. President—

Mr. STONE. I move that—

The PRESIDENT pro tempore. The Senator from Colorado. Mr. THOMAS. I move that the Senate proceed to the consideration of the conference report on House bill 407.

The PRESIDENT pro tempore. The motion of the Senator from Colorado is privileged.

Mr. GALLINGER. Oh, no, Mr. President.

Mr. SMOOT. It is not a privileged motion.

Mr. GALLINGER. A conference report is privileged so far as its presentation is concerned, but not as to its consideration.

The PRESIDENT pro tempore. The Chair was in error in regard to the matter. The question is on the motion of the Senator from Michigan [Mr. TOWNSEND] that the Senate proceed to the consideration of Senate bill 392.

Mr. THOMAS. Well, Mr. President, I move that the Senate proceed to the consideration of the conference report on House bill 407.

Mr. GALLINGER. That is not in order. The motion of the Senator from Michigan is not amendable under our rules.

The PRESIDENT pro tempore. The Chair is of the opinion that the motion to take up the conference report is not privileged, and that the motion of the Senator from Michigan must first be disposed of, it not being amendable.

Mr. STONE. Mr. President, I understand there is a desire to adjourn. I suggest that we have an executive session.

Mr. GALLINGER. Let us first have a vote on the motion of the Senator from Michigan.

Mr. TOWNSEND. I ask that my motion be put.

Mr. STONE. To take the sense of the Senate, I move that the Senate proceed to the consideration of executive business.

Mr. GALLINGER. On that I ask for the yeas and nays.

Mr. STONE. I withdraw the motion.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Michigan that the Senate proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War Volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

Mr. JONES. I suggest that Senate bill 392 be laid before the Senate.

Mr. TOWNSEND. That bill has been laid before the Senate.

The PRESIDENT pro tempore. The bill has been laid before the Senate. The question is on the motion of the Senator from

Missouri that the Senate proceed to the consideration of executive business. [Putting the question.] The Chair is in doubt and will again put the question. [Putting the question.] The yeas seem to have it.

Mr. TOWNSEND. I ask for a division.

The PRESIDENT pro tempore. Senators in favor of proceeding to the consideration of executive business will rise and stand until they are counted.

Mr. STONE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I withhold my vote.

Mr. CHILTON (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Wisconsin [Mr. HUSTING] and vote "yea."

Mr. CLAPP (when his name was called). In the absence of the senior Senator from North Carolina [Mr. SIMMONS], with whom I have a general pair, I withhold my vote.

Mr. GALLINGER (when his name was called). I announce my general pair with the senior Senator from New York [Mr. O'GORMAN], who is absent, and will withhold my vote.

Mr. OVERMAN (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH], and therefore withhold my vote.

Mr. WALSH (when his name was called). Transferring my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Louisiana [Mr. BROUSSARD], I vote "yea."

The roll call was concluded.

Mr. JAMES. I transfer the general pair I have with the junior Senator from Massachusetts [Mr. WEEKS] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. STERLING. I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Michigan [Mr. SMITH] and vote "nay."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from West Virginia [Mr. GORFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

Mr. LODGE (after having voted in the negative). I inquire if the senior Senator from Georgia [Mr. SMITH] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. LODGE. I have a general pair with that Senator, and therefore withdraw my vote.

The result was announced—yeas, 37, nays 26, as follows:

YEAS—37.

Ashurst	Hughes	Overman	Swanson
Bankhead	James	Owen	Thomas
Beckham	Johnson, Me.	Pittman	Thompson
Bryan	Johnson, S. Dak.	Reed	Underwood
Chilton	La Follette	Saulsbury	Vardaman
Fletcher	Lea, Tenn.	Sheppard	Walsh
Gore	Lee, Md.	Shields	Williams
Hardwick	Martin, Va.	Smith, Ariz.	
Hitchcock	Martine, N. J.	Smoot	
Hollis	Newlands	Stone	

NAYS—26.

Borah	Curtis	McCumber	Sterling
Brady	du Pont	Nelson	Sutherland
Brandeggee	Fernald	Norris	Townsend
Cañon	Gronna	Page	Wadsworth
Clark	Harding	Penrose	Watson
Colt	Jones	Pol Dexter	
Cummins	Kenyon	Sherman	

NOT VOTING—33.

Broussard	Kern	Oliver	Smith, Mich.
Chamberlain	Kirby	Phelan	Smith, S. C.
Clapp	Lane	Pomerene	Tillman
Culbertson	Lewis	Ransdell	Warren
Dillingham	Lippitt	Robinson	Weeks
Fall	Lodge	Shafroth	Works
Gallinger	McLean	Simmons	
Goff	Myers	Smith, Ga.	
Husting	O'Gorman	Smith, Md.	

So Mr. STONE's motion was agreed to; and the Senate proceeded to the consideration of executive business. After 28 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 21, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 20, 1916.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenant with rank from October 25, 1916.

Merlon Ardeen Webber, of Maine.

To be first lieutenants with rank from December 15, 1916.

Jesse Lee Byrd, of Georgia.

George Charles Henry Franklin, of California.

Donald Murdock McRae, of California.

Matthias Miller Wagner, of Tennessee.

Hugh David Ward, of North Carolina.

Charles Wesley Waters, jr., of Virginia.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. James N. Munro, Cavalry (Quartermaster Corps), to be major from September 21, 1916, vice Maj. Robert J. Fleming, Tenth Cavalry, promoted.

Capt. William S. Valentine, Tenth Cavalry, to be major from September 21, 1916, vice Maj. James N. Munro, whose detail in the Quartermaster Corps is continued.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Ensign Justin McC. Miller to be a lieutenant (junior grade) in the Navy from the 7th of June, 1916.

Boatswain James E. Quirk to be a chief boatswain in the Navy from the 21st day of December, 1915.

The following-named machinists to be chief machinists in the Navy from the 30th day of December, 1915.

Robert G. Greenleaf; and

James MacIntyre.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the 6th day of December, 1916:

Orlando H. Petty, a citizen of Pennsylvania;

Charles D. Shannon, a citizen of Washington;

Raymond W. McNealy, a citizen of Illinois;

Warren F. Pearce, a citizen of Illinois; and

Rudolph D. Joldersma, a citizen of Idaho.

Bertram L. Cunningham, a citizen of New York, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 17th day of November, 1916.

Lieut. (Junior Grade) Francis D. Pryor to be a lieutenant in the Navy from the 28th day of December, 1915.

Ensign Walter E. Doyle to be a lieutenant (junior grade) in the Navy from the 7th day of June, 1916.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of July, 1916:

Frank Hindrelet; and

August Schulze.

POSTMASTERS.

CONNECTICUT.

Frank O. Davis to be postmaster at Pomfret Center, Conn., in place of W. W. Averill. Incumbent's commission expired January 18, 1916.

NEW HAMPSHIRE.

Allan H. Robinson to be postmaster at Concord, N. H., in place of John H. Brown. Incumbent's commission expired December 19, 1916.

OKLAHOMA.

Sam Swinney to be postmaster at Durant, Okla., in place of C. W. Early. Incumbent's commission expired May 1, 1916.

WISCONSIN.

Lawrence Barrett to be postmaster at Peshtigo, Wis., in place of Lawrence Barrett. Incumbent's commission expired January 20, 1916.

William White to be postmaster at Algoma, Wis., in place of William White. Incumbent's commission expired February 4, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 20, 1916.

ASSISTANT SECRETARY OF COMMERCE.

Edwin F. Sweet to be Assistant Secretary of Commerce.

CONSULS GENERAL.

CLASS 4.

P. Stewart Heintzleman to be a consul general of class 4.

CLASS 5.

E. Carlton Baker to be a consul general of class 5.

CONSULS.

CLASS 6.

Edwin L. Neville to be a consul of class 6.

CLASS 7.

Henry H. Balch to be a consul of class 7.

Kenneth S. Patton to be a consul of class 7.

CLASS 8.

Max D. Kirjassoff to be a consul of class 8.

PROMOTIONS IN THE COAST GUARD.

First Lieut. Walter Aquila Wiley to be captain.

First Lieut. Henry Ulke to be captain.

First Lieut. Henry Granville Fisher to be captain.

Second Lieut. Stanley Vincent Parker to be first lieutenant.

Second Lieut. Edward Darlington Jones to be first lieutenant.

Second Lieut. Lloyd Toulmin Chalker to be first lieutenant.

Second Lieut. James Louis Ahern to be first lieutenant.

Third Lieut. Henry George Hemingway to be second lieutenant.

Second Lieut. of Engineers John Thomas Carr to be first lieutenant of engineers.

Cadet Engineer John Nathaniel Heiner to be third lieutenant of engineers.

Cadet Engineer Francis Compston Wells to be third lieutenant of engineers.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. John H. Blackburn to be a lieutenant commander.

The following-named lieutenants to be lieutenant commanders:

Earl P. Finney,

William D. Puleston,

Charles W. Densmore,

David Lyons,

Owen Hill,

Joseph F. Daniels,

Walter E. Whitehead,

Gaston DeP. Johnstone,

Frank Rorschach,

Kirby B. Crittenden,

Stephen C. Rowan,

Walter S. Anderson,

Henry D. Cooke,

Samuel M. Robinson,

Leo Sahn,

William W. Smyth,

Ralston S. Holmes,

Ernest Friedrich,

Fred H. Poteet,

William J. Gilles,

Ralph A. Koch,

Lamar R. Leahy,

Milton S. Davis,

Charles C. Moses,

Sam C. Loomis,

Charles A. Blakely,

Macgillivray Milne,

Wilbur R. Van Auken,

Harold R. Stark,

John S. Arwine, jr.,

Austin S. Kibbee,

Martin K. Metcalf,

Lindsay H. Lacy,

John S. Abbott,

Thomas H. Taylor,

Frank H. Sadler,

Charles E. Smith,

Frederick V. McNair, jr.,

Charles Belknap, jr.,

Daniel T. Ghent,

John Grady,

David McD. LeBreton,

Nathaniel H. Wright,

Husband E. Kimmel,

Robert A. Dawes,

Paul E. Dampman,

Clyde S. McDowell,

Charles C. Soule, jr.,

Lawrence P. Treadwell,

William H. Toaz,

Halsey Powell,

Forde A. Todd,

Chester L. Hand,
Aubrey K. Shoup,
Abram Claude,
Nathan W. Post,
Harry A. Stuart,
William F. Halsey, jr.,
Roscoe F. Dillen,
James W. Hayward,
Bradford Barnette,
David W. Bagley,
Walter A. Smead,
Arthur C. Kail,
Clarence E. Wood, and
Max M. Frucht.

Lieut. (Junior Grade) Jacob L. Hydrick to be a lieutenant.

Lieut. (Junior Grade) Louis F. Thibault to be a lieutenant.

The following-named lieutenants (junior grade) to be lieutenants:

Baxter H. Bruce,
George H. Laird,
John B. Earle,
Harold V. McKittrick,
Charles T. Blackburn,
George T. Swasey, jr.,
Ellis Lando,
Ralph B. Horner,
Thomas A. Symington,
Harlow T. Kays,
Robert C. Giffen,
Richard E. Cassidy,
Clarence N. Hinkamp,
Ralph C. Parker,
Leslie E. Bratton,
Ezra G. Allen,
Emanuel A. Lofquist,
Elmer W. Tod,
Reuben R. Smith,
Samuel L. Henderson,
Homer H. Norton,
Alfred H. Miles,
Harold H. Ritter,
James Parker, jr.,
Charles F. Pousland,
George N. Barker,
Louis J. Gulliver,
Newton L. Nichols,
Francis A. L. Vossler,
Cortlandt C. Baughman,
Richard B. Coffman,
Jonas H. Ingram,
Louis C. Scheibla,
Schuyler F. Heim,
Patrick N. L. Bellinger,
Newton H. White, jr.,
Seymour E. Holliday,
Forney M. Knox,
Samuel A. Clement,
Richmond K. Turner,
Alexander M. Charlton,
John W. Rankin,
Henry F. D. Davis,
Kirkwood H. Donavin,
Oscar Smith, jr.,
Herbert A. Jones,
Henry T. Markland,
William R. Smith, jr.,
William W. Turner,
Joseph J. Broshek,
Frank J. Wille,
Haller Belt,
Eugene E. Wilson,
Abel T. Bidwell,
Rensselaer W. Clark,
Walter K. Kilpatrick,
Elwin F. Cutts,
Edward J. Foy,
Harry B. Hird,
Nelson W. Pickering,
Harry A. Badt,
Clyde G. West,
George H. Emmerson,
Norman R. Van der Veer,
David C. Patterson, jr.,
Francis W. Rockwell,
Sydney M. Kraus,

Charles G. Ross,
Howard H. Crosby,
William C. Owen,
Francis T. Chew,
Francis Cogswell,
James McC. Irish,
John B. Staley,
Arthur S. Carpenter,
Robert A. Burg,
William D. Brereton, jr.,
Harrison E. Knauss,
Clarence C. Thomas,
William R. Munroe,
Schamyl Cochran,
Albert M. Penn,
Robert O. Baush,
Paul H. Bastedo,
John C. Hilliard,
Philip Seymour,
Frank R. Berg,
Andrew D. Denney,
Charles M. Yates,
Stuart O. Greig,
James C. Van de Carr,
John C. Cunningham,
Jabez S. Lowell,
John F. Shafroth, jr.,
Ernest W. McKee,
Dallas C. Laizure,
Jules James,
John F. McClain,
John R. Beardall,
Rufus King,
Timothy J. Keleher,
Howard B. Mecleary,
Maurice R. Pierce,
William W. Wilson,
Victor D. Herbster,
David F. Ducey,
Donald T. Hunter,
Edmund W. Strother,
William H. Pashley,
Fred T. Berry,
William R. Purnell,
Frederic T. Van Auken,
Marshall Collins,
Kinchin L. Hill,
Kenneth Heron,
Thomas C. Kinkaid,
Lee P. Warren,
Charles M. James,
Selah M. La Bounty,
Harry G. Donald,
John L. Schaffer,
Leland Jordan, jr.,
Edward G. Blakeslee,
John H. Everson,
Worrall R. Carter,
Robert R. M. Emmet,
John C. Jennings,
Henry B. Le Bourgeois,
Paul J. Peyton,
William A. Hodgman,
Cleveland McCauley,
Robert E. Rogers,
Leslie C. Davis,
Harry H. Forgas,
Franklin P. Conger,
Raymond G. Thomas,
Aquilla G. Dibrell,
Henry D. McGuire,
Edward H. Connor, and
William B. Cothran.
Lieut. (Junior Grade) William T. Smith to be a lieutenant.
Ensign Theodore H. Winters to be a lieutenant (junior grade).

The following-named ensigns to be lieutenants (junior grade):

Herman E. Keisker,
Glenn B. Davis,
Stewart F. Bryant,
Robin B. Daughtry,
Walter Seibert,
Richard H. Knight,
George L. Greene, jr.,
Thomas Shine,

George D. Hull,
James E. Brenner,
Paul Hendren,
Benjamin H. Lingo,
Alfred H. Donahue,
John D. Jones,
Walker Cochran,
Henry F. Floyd,
Robert D. Kirkpatrick, and
Harold P. Parmelee.

Ensign Joseph Y. Dreisonstok to be a lieutenant (junior grade).

Chief Boatswain George G. Robertson to be an ensign.

Gunner Fred W. Connor to be an ensign.

Gunner Roman J. Miller to be an ensign.

Col. Littleton W. T. Waller to be a brigadier general in the Marine Corps.

Col. George Barnett (now Major General Commandant) to be a brigadier general in the Marine Corps.

Col. Joseph H. Pendleton to be a brigadier general in the Marine Corps.

Col. John A. Lejeune to be a brigadier general in the Marine Corps.

Col. Eli K. Cole to be a brigadier general in the Marine Corps.

Lieut. Carlos Bean to be a lieutenant commander.

Lieut. Roscoe C. Davis to be a lieutenant commander.

Lieut. (Junior Grade) Roy P. Emrich to be a lieutenant.

Ensign Palmer H. Dunbar, jr., to be a lieutenant (junior grade).

Ensign Hugh L. White to be a lieutenant (junior grade).

Ensign Roy Dudley to be a lieutenant (junior grade).

Ensign Laurence Wild to be a lieutenant (junior grade).

Ensign Solomon H. Greer to be a lieutenant (junior grade).

Ensign Henry M. Briggs to be a lieutenant (junior grade).

Ensign Hartwell C. Davis to be a lieutenant (junior grade).

Ensign James H. Strong to be a lieutenant (junior grade).

Ensign Hardy B. Page to be a lieutenant (junior grade).

Ensign Oliver L. Downes to be a lieutenant (junior grade).

Ensign Lloyd H. Lewis to be a lieutenant (junior grade).

Ensign Stuart E. Bray to be a lieutenant (junior grade).

Ensign Jerome A. Lee to be a lieutenant (junior grade).

Ensign Joseph H. Hoffman to be a lieutenant (junior grade).

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy:

Julian C. Brantley,
Franklin T. Bower,
Irving W. Jacobs,
Philip F. Prioleau,
Albin H. Cecha,
Edward K. Lee,
Edward H. Sparkman, jr.,
Andrew J. Sullivan,
Edward A. Brown,
Sterling P. Taylor, jr.,
Aaron Robinson,
Emil J. Stein,
Mortimer T. Clement,
Alma C. Smith,
Kenneth E. Lowman,
Louis H. Clerf,
Ezra E. Koebbe,
Earl C. Carr, and
Joseph H. Durrett.

Assistant Naval Constructor Allan J. Chantry, jr., to be a naval constructor.

The following-named midshipmen to be ensigns in the Navy:

Archibald E. Fraser,
Fred D. Kirtland, and
William J. Forrester.

POSTMASTERS.

ALABAMA.

Henry B. Hall, Courtland.
Walter R. Harris, Moulton.
Leila C. Jones, Lincoln.
Frederick W. McCormack, Leighton.
James E. Robinson, Clanton.
Jesse G. Turner, Slocomb.
Ora B. Wann, Madison.

ALASKA.

Fred B. Wood, Anchorage.

CALIFORNIA.

George W. Black, Elk Grove.
Nora E. Boyd, Highland.

Elmer A. Nordyke, Geyserville.
Donald B. Robb, Gridley.

COLORADO.

Harry M. McKinney, Yuma.
Ernest A. Osier, Walden.
Robert H. Weir, Otis.

CONNECTICUT.

Durward E. Granniss, New Preston.
Edward F. Schmidt, Westbrook.

FLORIDA.

James P. Jones, Auburndale.
Charles A. Miller, Crystal River.
James O. Milton, Macclenny.
Arthur L. Stevens, Waldo.

IDAHO.

George Alley, Bancroft.
Olive R. Biggs, Buhl.

INDIANA.

Claude L. Carpenter, Pleasant Lake.
Silas R. Chaney, Bryant.
Jason W. Clark, Rossville.
Lola Fern Dolan, Avilla.
John D. Holland, Waveland.
John A. Jennings, Rome City.
Lawson La Master, Sellersburg.
Harvey R. Mills, Camden.
George W. Stout, Hamilton.
Evert M. Stroud, Carmel.
Frederick J. Werner, Orland.
Jennette R. Winkelmann, Austin.

KANSAS.

John Carden, Meriden.
James R. Day, Dexter.
George F. Dillon, McLouth.
James Fairhurst, Winchester.
Samuel S. Irwin, Kincaid.
Orville O. Lavender, Valley Center.
Robert B. Leedy, Neosho Falls.
Elvah R. Lemon, Portis.
Everett W. Nelson, Vermillion.
J. B. Riddle, Wichita.
Rufus A. Rogers, Selden.
Michael Ryan, Scranton.
Vera E. Smith, Palco.
Adam J. Thielen, Dorrance.

KENTUCKY.

Charles A. Bell, Bedford.
Beverly L. Bradshaw, Tompkinsville.
St. Elmo Coblin, Campbellsburg.
Mary L. Gay, Fleming.
Thomas B. Nall, Vine Grove.

MAINE.

Edward H. S. Baker, York Harbor.
George L. Baker, Bingham.
Mary S. Bartlett, Belgrade Lakes.
Clarence E. Cole, Bryant Pond.
Alice I. Curtis, Freeport.
William C. Myrick, East Machias.
Ida P. Stone, Oxford.
William J. Tower, South West Harbor.
Edgar T. Whitehouse, Unity.

MICHIGAN.

L. Ross Adamson, Rudyard.
Ira D. Black, Camden.
George M. Dokey, jr., Beulah.
Gertrude A. Enlow, Covert.
Escaville E. Patterson, Edwardsburg.
Herman W. Reinecke, New Baltimore.
A. Thorne Swift, Harbor Springs.
Eva A. Wurzburg, Northport.

MISSISSIPPI.

John Hill Allgood, Brookville.
Robert E. Barham, Crenshaw.
Otis E. Brannon, Kilmichael.
Rosa W. Burton, Alligator.
Bertha C. Davis, Nettleton.
Elisha E. Jack, Scooba.
Olivia M. Jenkins, Shuqualak.
Emma E. Marshall, Fernwood.
Mary F. May, Dio.

Alfred W. Thompson, De Kalb.
Sarah A. Tyner, Bay Springs.
H. R. Ward, Enterprise.
Frances G. Wimberly, Jonestown.

MISSOURI.

Maud B. Barker, O'Fallon.
Edward Beall, Eolia.
Alberta S. Brim, Green Ridge.
Mae M. Brown, Hurdland.
Perry Chipman, Ewing.
Grady C. Darby, Essex.
Joseph E. J. Everett, Osborn.
John A. Farmer, Linn Creek.
John A. Fields, Powersville.
George P. Gordon, Waverly.
Robert L. Goodson, New Cambria.
Edgar D. Gracey, Galena.
A. B. Harris, Leeton.
Cordelia F. Lusby, Wentzville.
Oren McCrory, Fair Play.
Anna Marolf, Lowry City.
E. M. Moore, Benton.
William M. Platt, Bernie.
Oscar L. Perkins, Union Star.
John J. Salmon, Chilhowee.
Louis H. Smith, Stewartville.
Walter P. Steger, Calhoun.
David W. Thompson, Hume.
William H. Wilks, Caruthersville.
John B. Williams, Silex.
Martha A. York, Hayti.

MONTANA.

Carolyn B. Arnold, Absarokee.
Grace E. Crater, Gildford.
W. R. Crockford, Sweetgrass.
A. M. Johns, Wilsall.
Cornelius N. McGree, Hysham.
E. H. Miller, Melstone.
Tilda R. Reuter, Westby.
James E. M. Vig, Big Sandy.

NEBRASKA.

Ludvik Klimes, Verdigre.
Charles E. Wilkins, Waterloo.

NEW HAMPSHIRE.

Henry D. Allison, Dublin.
Harriette H. Hinman, North Stratford.
Warren W. McGregor, Bethlehem.
Leon F. Perkins, Bradford.
Allan H. Robinson, Concord.

NEW YORK.

Willis Baker, Gilboa.
Gertrude D. Butler, Croton Falls.
Henry J. Chichester, East Moriches.
May C. Force, Chestertown.
George E. Hufcut, Castorland.
Thomas P. Mattison, Bemus Point.
Edwin C. Miller, Morris.
Michael Murray, Rosebank.
George C. Ross, West Sayville.
Apollos A. Smith, Paul Smiths.
William H. Spain, Mahopac.
Frank L. Terrell, East Quogue.
Wilbur J. Wagner, Parksville.
Charles O. Williams, Central Bridge.

NORTH DAKOTA.

Elizabeth I. Connelly, Hurdsfield.
Sydney W. Douglas, Pembina.
Joseph C. Evans, Beulah.
Bessie G. George, Van Hook.
J. J. Hess, Sentinel Butte.
Theodore F. Huston, Deering.
Thomas J. Kavanagh, Carpio.
Joseph N. Nelson, Inkster.
Grace Norred, Killdeer.
Archibald J. Palmer, Halliday.
Kathryn Savage, Braddock.
John A. Schieb, Kensal.
Frank K. Shearer, Dazey.
Wendell D. Smith, Forbes.
William Stewart, Dogden.
Max H. Strehlow, Kindred.
John C. Zeller, Watford City.

OHIO.

Voy J. Boots, Williamsport.
Harley R. Grandle, Leesburg.
John M. Hamilton, Shiloh.
Carl B. Johannsen, Put in Bay.
Clifford H. Robertson, Lore City.
Harry M. Walden, Coolville.
Maud Walker, New Madison.
John L. Wilson, Marengo.
Sylvester L. Yochum, Camden.

PORTO RICO.

Hortensia R. O'Neill, San German.
Julio Ramos, Cayey.
Simon Semidei, Yauco.

SOUTH DAKOTA.

Henry F. Cook, Northville.
Bernard Laverty, Hitchcock.
John A. Stransky, Pukwana.

TEXAS.

Hiram A. Bachman, Throckmorton.
Paul P. Bates, Glazier.
W. E. Boykin, Lufkin.
Alice Brown, Ralls.
Ward W. Gillette, Benjamin.
Joe Green, Ratcliff.
J. W. Jackson, Elgin.
James W. Kennedy, Jayton.
Charles H. Latham, Eden.
Vernon McIntyre, Marathon.
Betty Matthews, Mathis.
J. A. Noland, Crawford.
Josephine W. Roche, Georgetown.
McIver Smith, Texline.
Frances L. Spikes, Wheeler.
James D. Stevens, Carlton.
Thomas R. Warr, Mount Calm.
John P. Williamson, Iredell.
Ruby L. Wood, Kirkland.

VIRGINIA.

Samuel F. Akers, Emory.
John A. Brockenbrough, Warsaw.
Henry C. Browning, Meadowview.
Mrs. Mack K. Cunningham, Fort Myer.
Charles E. Fahrney, Timberville.
Amos K. Graybill, Nokesville.
Richard M. Janney, Gloucester.
Joseph R. McGavock, Max Meadows.
Gordon P. Murray, Hollins.
John W. Roberts, Windsor.
George A. Samsell, Stephens City.
Rosamond C. Sawyer, Virginia Beach.
Paul Scarborough, Franklin.
Benjamin A. Williams, Courtland.

WASHINGTON.

Averill Beavers, Kennewick.
William R. Brown, Charleston.
Jesse R. Storey, Renton.

WEST VIRGINIA.

Jesse Craver, Boomer.
Alexander Lester, Omar.
J. P. Peck, Mabscott.
Hiram C. R. Stewart, New Cumberland.

WYOMING.

Albert J. Schils, Cokeville.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 20, 1916.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who art the inspiration of our fondest hopes, our highest ideals, and our noblest endeavors, we draw near to Thee that we may be cleansed by the touch, and fitted for the new duties of the new day; that whatsoever our hands find to do we may do with our might, leaving the results to Thee, who doeth all things well; for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERSONAL EXPLANATION.

Mr. BENNET. Mr. Speaker, on yesterday I was to have paired with my colleague Mr. LOFT, who is sick, on the increase of pay allowance to secretaries. I came to the conclusion that I should vote for the increase, which was the same way that he would have voted. Therefore I left my colleague unpaired. I make this explanation in justice to Mr. LOFT, who, if he had been here, would have voted as I did, for the increase.

URGENT DEFICIENCIES.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the urgent deficiency bill, H. R. 19178.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 19178) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes, with Mr. STEPHENS of Texas in the chair.

The Clerk read the title of the bill.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

Mr. MANN. It is a short bill. I should like to have it read.

Mr. FITZGERALD. I withdraw the request.

The bill was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes, namely:

MILITARY ESTABLISHMENT.

QUARTERMASTER CORPS.

For the support of dependent families of enlisted men, including the same objects and under the same limitations specified in the appropriation for this purpose in the Army appropriation act for the fiscal year 1917 as amended by section 901 of the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, \$4,250,000.

MINTS AND ASSAY OFFICES.

Denver, Colo., Mint: For wages of workmen and other employees, \$12,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in melting and refining department and coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, \$25,000.

Philadelphia Mint: For wages of workmen and other employees, \$110,000.

For incidental and contingent expenses, including new machinery and repairs, cases and enameling for medals manufactured, expenses of the annual assay commission, wastage in melting and refining and in coining departments, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, and not exceeding \$1,000 in value of specimen coins and ores for the cabinet of the mint, \$100,000.

San Francisco, Cal., Mint: For wages of workmen, and other employees, \$18,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department and in the coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, \$7,500.

New York Assay Office: For wages of workmen and other employees, \$25,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department, and loss on sale of sweeps arising from the treatment of bullion, \$20,000.

DISTRICT OF COLUMBIA.

SUPREME COURT.

Miscellaneous expenses: For such additional miscellaneous expenses as may be authorized by the Attorney General for the supreme court and its officers, made necessary by the occupancy of temporary quarters pending the reconstruction of the courthouse, Washington, D. C., including an electrician at the rate of \$900 per annum and a laborer at the rate of \$600 per annum, \$3,750, one-half to be paid out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

DEPARTMENT OF JUSTICE.

PUBLIC BUILDINGS.

For an additional amount for the removal and readjustment of all office furniture and fittings in connection with the occupancy of temporary quarters by the officials and employees of the courthouse, Washington, D. C., including personal and other services, and for every item connected therewith, \$2,000.

For rent of temporary quarters for the office of the recorder of deeds pending the reconstruction of the courthouse, Washington, D. C., \$5,000, to be available during the fiscal year 1918.

The two foregoing appropriations shall be expended under the direction of the Superintendent of the Capitol Building and Grounds and payable one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

Mr. FITZGERALD. Mr. Chairman, this bill carries \$4,578,250 to supply urgent deficiencies in the appropriations for the support of the Government.

The chief item in the bill is the sum of \$4,250,000, to continue making payments to dependent families of enlisted men in the Regular Army and National Guard who are now stationed on

the border. That is the amount it is estimated will be required to meet the payments until the 1st of April. The committee included sufficient money to make the payments until April 1 in the expectation of making in the general deficiency bill such other provision as may be required beyond that time. I may add that of the \$2,000,000 appropriated in the last session there was remaining a day or two ago a little over \$300,000, and payments are being made at the rate of \$70,000 a day.

The other items in the bill are almost entirely for the mints and the New York assay office. The mints have been called upon for an extraordinary supply of subsidiary and minor coins, so that the Philadelphia Mint has been working 24 hours a day and the Denver and San Francisco Mints 16 hours a day for almost three months. Despite such overtime it has not been possible to meet the demands of the banks for all of the subsidiary and minor coins for which requisition has been made. The sum carried in the bill for the mints and the New York assay office is the amount required to continue them in operation until the end of the fiscal year upon the present basis of output.

In addition there is an appropriation of \$10,700 in connection with the reconstruction of the Supreme Court building in the District of Columbia. The supreme court of the District of Columbia has been moved into the old Census building. This change necessitates an electrician and an additional laborer, and an additional sum of money on account of the increased expense for fuel and light, and some miscellaneous items.

The recorder of deeds of the District of Columbia is at present located in the supreme court building. The work of reconstructing that building can not begin until his office is moved out of the courthouse. Under an old statute, enacted in the sixties, the Chief of Engineers is required to furnish accommodations for the recorder of deeds. When called upon recently by the recorder of deeds he had no means of furnishing the accommodations needed. It is estimated that suitable fireproof accommodations for the records of title in the District of Columbia and to enable the recorder of deeds to transact the business of his office during the time of reconstruction, can be rented for a trifle less than \$5,000 a year, and \$5,000 is included for that purpose.

Mr. EMERSON. If the gentleman will yield, I notice under "Military Establishment" the sum of \$4,250,000 is appropriated. On whose recommendation is that asked for?

Mr. FITZGERALD. On an estimate submitted by the War Department.

Mr. EMERSON. Did the committee get any information as to how long the National Guard is to be held on the border?

Mr. FITZGERALD. We have no information on that matter. At present there are about 100,000 National Guardsmen there, and the estimate that \$8,500,000 will be required to meet the payments until the 30th of June is based upon an estimate of 75,000 members of the guard being kept on the border.

Mr. EMERSON. I said during the campaign that I thought perhaps they would be sent home after election, and I can not see any reason for keeping them there.

Mr. FITZGERALD. This shows that some gentlemen who charged that the National Guard were sent down to the border for purely political purposes were unjustified in their statements.

Mr. EMERSON. What have the National Guard been used for on the border? Of what use have they been there? Millions of dollars were spent to send them there. What have they done for the country?

Mr. FITZGERALD. They have been of immense value. The information that comes to me in an informal, unofficial, vague, hazy manner is still of a reliable character; I believe it to be substantially correct. It is to the effect that if the Guard had not been sent to the border in all probability there would have been a great many outrages perpetrated upon American citizens living in the United States. Had that occurred, my good friend [Mr. EMERSON] and many others, perhaps on this side as well as on that side of the House, would have criticized the administration very severely for not having taken measures to prevent such a situation. It is neither customary, nor is it desirable, nor is it always possible to take everyone into the confidence of those administering the affairs of the Government, as to the peculiar reasons that necessitate the mobilizing of troops under certain conditions.

Mr. EMERSON. What I was specially interested in—

Mr. FITZGERALD. Perhaps the feature of our system of government that under some conditions make it most ineffective is the fact that too much publicity accompanies every important action of the Government. I assume, and always have assumed, and I believe that it is what everyone else assumes who thinks

seriously, that some controlling motive induced the President to issue the order which resulted in the members of the National Guard being sent to the border and which has resulted in their being retained there. I believe that we should not say or do anything that would tend to make the men who are there dissatisfied, but should do what we can to convince them that important military reasons must have existed or no one in authority would have been willing to have had these men subjected to the inconvenience and hardships that they have been compelled to undergo.

Mr. EMERSON. If I understand it correctly, the object of sending the Regular Army to Mexico was to capture Villa. Am I right in that?

Mr. FITZGERALD. Is the gentleman asking me?

Mr. EMERSON. I hear that Villa has asked to meet some representative from the United States in conference.

Mr. FITZGERALD. I do not deny what the gentleman's understanding is, but if he asks me to confirm his understanding as a fact, I prefer not to participate in such a dark situation.

Mr. EMERSON. I understand that Gen. Funston has advised that the National Guard should be sent home—I think they should have been sent home for Christmas—and the Regular Army be used to patrol the border.

Mr. FITZGERALD. The information is that more men are required for that work than are available in the Regular Army. It would be rather a peculiar military movement to send the troops home for Christmas and then send them back again after Christmas. The Army can not take a holiday for Christmas the same as Congress can, however desirable it might be.

Mr. EMERSON. There is some use for Congress, but no use for the National Guard on the border. If I understand correctly, the President was largely reelected because he kept us out of war.

Mr. FITZGERALD. Now, that the election is over, every citizen of the United States has the absolute right to solace himself with whatever reasons he wishes to ascribe as the cause of the election. That is one advantage we all enjoy. Whether we like the result or not, we can go off and chuckle to ourselves that we know what did it, even if we are not in the winning class.

Mr. EMERSON. I saw up at the Treasury the other day a sign which said, "Wilson, peace and prosperity; Hughes, what?"

Mr. FITZGERALD. The President was reelected because his administration of the public affairs of the United States has been the most successful, the most statesmanlike, the most progressive, and the most admired of any President since the time of Washington. [Applause on the Democratic side.]

Mr. MANN. Does the gentleman from New York contemplate going upon the vaudeville stage as a joker? [Laughter.]

Mr. FITZGERALD. No; but I am afraid that some of my friends have become so unbalanced that they can not see anything serious in life, and take it all as a huge joke.

Mr. CANNON. I think a sufficient reply to the gentleman would be that which we hear on the street from the newsboys, when one taunts another, and the other says, "What are you giving us?"

Mr. FITZGERALD. Well, I refer gentlemen to the result of the last election as an indorsement of what I said.

Mr. BENNET. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BENNET. My colleague does not refer to any of the returns of the election in the State of New York?

Mr. FITZGERALD. Once in a while my neighbors go astray, but, like the prodigal son, they come back again. [Laughter on the Democratic side.] I would not, of course, refer to the returns in my colleague's district. [Laughter.]

Mr. BENNET. If my colleague would refer to the returns in my district in relation to the national ticket, he would find that Mr. Wilson got something like 6,000 less majority than he did four years ago.

Mr. FITZGERALD. But he got enough.

Mr. BENNET. In New York State? I will agree with the gentleman that he got enough—he got only twenty-eight thousand majority in Greater New York.

Mr. FITZGERALD. President Wilson got the largest majority that any candidate on the Democratic ticket has received within the last 20 years in the county of New York.

The following figures are enlightening on this subject:

1896 Mr. Bryan lost the county by.....	18,787
1900 Mr. Bryan carried the county by.....	19,387
1904 Judge Parker carried the county by.....	22,375
1908 Mr. Bryan carried the county by.....	4,117
1912 Mr. Wilson carried the county over Roosevelt and Taft by.....	5,728
1916 Mr. Wilson carried the county by.....	27,263

PLURALITIES, 1916—NEW YORK COUNTY.

Wilson, President.....	27,263
Seabury, governor.....	27,322
Dowling, president board of aldermen.....	25,532

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. MOORE of Pennsylvania. Mr. Chairman, when the gentlemen are through with their persiflage I would like to ask a serious question.

Mr. HOWARD. I think enough of the post mortem has been indulged in, and the corpse has been decently interred.

Mr. MOORE of Pennsylvania. The gentleman from New York, in his statement last Friday, said that the department would ask for \$8,500,000 for the relief of dependent families of enlisted men. Now, he brings in a bill calling for an appropriation of \$4,250,000, just one-half of the amount stated.

Mr. FITZGERALD. This is the amount estimated to be required up to the 1st of April. The committee provided the money required up to that date in the expectation that we could provide any additional sum that may be required in the general deficiency bill. More would be known then as to whether the troops will be kept on the border.

Mr. MOORE of Pennsylvania. I would like to get an opinion from the gentleman for the benefit of the municipalities and voluntary associations which are now helping the families of these men. He said that eight and one-half millions would be estimated, and he has provided one-half of that sum.

Mr. FITZGERALD. Eight million five hundred thousand dollars was asked for, but one-half of that sum will be required to take care of the situation until the 1st of April.

Mr. MOORE of Pennsylvania. Does the gentleman know whether that will tend to relieve cities and voluntary associations now helping these dependent families?

Mr. FITZGERALD. I do not believe that it will.

Mr. MOORE of Pennsylvania. The War Department's advice yesterday was that the Pennsylvania troops would be ordered home in a very few days; that would include the Cavalry, which has been doing excellent service on the border. I understand they will be ordered home in three groups, so as not to crowd the trains. Will we not then cease making appropriations for the deserving families of these men?

Mr. FITZGERALD. There are now on the border about 100,000 members of the guard. The estimates are based upon 75,000 members of the guard being retained upon the border until the 30th of June, so that anticipates 25,000 of those who are now there returning.

Mr. MOORE of Pennsylvania. Then, the funds thus appropriated would be relieved to the extent of 25,000 men, if that number is ordered home within a very few days?

Mr. FITZGERALD. The estimate is not based upon the number now upon the border. It is based upon the 75,000 being retained on the border.

Mr. MOORE of Pennsylvania. The families of those who return to their homes will no longer receive any advantage from this dependent fund?

Mr. FITZGERALD. Not after their discharge.

Mr. MOORE of Pennsylvania. May I ask the gentleman as to the items for the maintenance of the mint and assay offices. Will this deficiency appropriation for these various mints carry their work along until the 30th of June next?

Mr. FITZGERALD. The 30th of June upon the basis of the present pay roll.

Mr. MOORE of Pennsylvania. Will the gentleman explain why it is that these deficiencies occur? Sufficient appropriation was made, as I understand, for the original work of the various mints; and yet we have been advised in two reports from the Secretary of the Treasury that the mints would have to close unless this deficiency appropriation is passed.

Mr. FITZGERALD. It is due to the fact that there has been an unprecedented demand for minor and subsidiary coin. The demand has been so great that for practically three months the Philadelphia Mint has been operating upon a 24-hour basis.

Mr. MOORE of Pennsylvania. That is true.

Mr. FITZGERALD. And the Denver and San Francisco Mints are operating upon a 16-hour basis. When the appropriations were made it was contemplated that they would be operated upon a single shift. It is also due to the fact that there has been a very great increase in the cost of material used in the mints. Both things taken together have resulted in the deficiency.

Mr. MOORE of Pennsylvania. It would be very interesting if the gentleman is prepared to make a statement as to why there has been such an extraordinary and abnormal demand for coinage.

Mr. FITZGERALD. It is due—

Mr. GARNER. To Democratic prosperity.

Mr. MOORE of Pennsylvania. It may be the high cost of living.

Mr. FITZGERALD. It is due to business activity and the tremendous development of the country.

Mr. MOORE of Pennsylvania. Is it due to the influx of foreign gold?

Mr. FITZGERALD. That does not affect the situation. In the last fiscal year the per capita circulation was increased about \$4. In 1916 the per capita circulation was \$39.29, and in 1915 \$35.44. The increase in business activities has required a large volume of subsidiary and minor coin. The importation of gold has affected only the New York assay office. The work of the mints has been in coining half dollars, quarters, dimes, nickels, and pennies.

Mr. MOORE of Pennsylvania. I would say to the gentleman that I am familiar with the situation at the Philadelphia Mint. We have been advised that the conditions there have been so precarious that the department would be obliged to close down early in January unless this deficiency appropriation be made. The appropriation has been exceeded. There must be some reason for it.

Mr. FITZGERALD. These figures may interest the House. At the Philadelphia Mint the coinage from July 1 to November 25, 1915, aggregated 22,210,850 pieces of all kinds. For the same period from July 1 to November 25, 1916, the number of pieces was 120,395,926. From July 1 to November 1, 1915, the deposits of bullion amounted to \$585,204, while for the same period in 1916 it amounted to \$70,486,657.

Mr. MOORE of Pennsylvania. That is an extraordinary condition.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MADDEN. I have a number of letters from men who were on the border with the National Guard of our State, who left dependent families at home, and who, while on the border, made application for the allowance provided for the dependents at home, but who have not had the allowance awarded to them. In some cases they left their families sick, left their homes with mortgages upon them, left their business where they were earning good salaries, and went into the service at \$15 a month. They were unable to furnish any sustenance to the people at home, unable to meet the interest charges upon the mortgages upon their homes, and in some cases they have lost members of their family while away, and have had the mortgages foreclosed. Their claims for allowance provided by law have not been adjudicated. Does this appropriation provide for the allowance to men who were on the border who have made application and who have been discharged, or does it provide for payment to men only who are still upon the border?

Mr. FITZGERALD. There were some applications unacted upon, I think to the number of 2,000. This appropriation is to take care of them, whether the men have been discharged or not. My information is that the allowances have been made to all those who would be entitled to them under the rules, excepting in those cases where it has been impossible to act upon the applications. A great many claims were not allowed. The Quartermaster General stated the rules adopted. A man in the Army receiving \$15 a month was considered to be receiving only what was necessary for himself while he was in the Army, so that when he made application, if he showed that he was receiving more than \$15 a month in the Army the excess would be deducted, and then he had to show how much he had been contributing to the support of his family, and they would allow up to \$50 a month under the law.

Mr. MADDEN. In cases where they have been able to show and allowances have not been made, and the men have been discharged, will such allowances be made out of this appropriation to these men, or does the gentleman know?

Mr. FITZGERALD. My understanding is this: To meet allowances to be made whether the men have been discharged or are still in the service. It was stated that the number of applications allowed in the Regular Army was 1,760. The number of applications allowed in the National Guard was 9,760; refused, National Guard 358, Regular Army 575. Number of applications on hand awaiting action for all reasons, 2,512. It may be that some men who have been discharged had applications which were not acted upon.

Mr. MADDEN. I have in mind the case of a man who owned his own home with a considerable mortgage on it, who was earning a good salary before he went away. He left his sick wife in the care of a doctor. He was unable to contribute anything whatever to her medical expenses or to her household expenses while he was away. His wife has since died and his home has been sold under the mortgage, because he was unable to

meet the interest payments. He made application for an allowance and has had no information as to whether it is to be allowed or whether it is to be rejected. It seems to me that a case of that sort is one that ought to be given serious consideration and ought to be expedited.

Mr. FITZGERALD. The Quartermaster General stated they had 12 clerks working on those cases. There might be a case like the one mentioned by the gentleman from Illinois that would be especially urgent which might come in a mass of papers and there would be no way to distinguish or single it out for special action. My information is that a board of three Army officers was appointed to pass on all the applications, and there seems to be a disposition to act upon them expeditiously and to be as liberal as possible.

Mr. SMITH of Michigan. Is there a uniform standard of allowances in dependent cases where the application is made?

Mr. FITZGERALD. There is a series of rules adopted and the allowances are made in compliance with those rules. They have been all printed in the hearings together with a copy of the application blank.

Mr. SMITH of Michigan. Based on the number of children or on the particular nature of the case?

Mr. FITZGERALD. Dependent upon the circumstances in each case.

Mr. CANNON. Mr. Chairman, if the gentleman will allow me, as I understand it, many communities, cities and probably counties, have contributed voluntarily to the support of families of some members of the National Guard. Now, when the application is made I understand that that donation is not refunded to the citizen or its equivalent allowed to the applicant?

Mr. FITZGERALD. That is my understanding.

Mr. CANNON. I was present in the hearings—

Mr. FITZGERALD. It is considered as part of the income that he has received and taken into account.

Mr. CANNON. If the gentleman will allow me, I am glad, indeed, that where there was suffering and necessity to a considerable extent relief came when it was needed; but in the very nature of the things the claim has to be presented and when presented the contribution, in fact, while made to the applicant, was also made to the Treasury of the United States, so that these localities that contributed to private suffering not only bore the other burdens of other localities but also that which other communities which did not contribute did not bear. I understand that is the condition.

Mr. MADDEN. Mr. Chairman, if I may say, I know of a number of cases where individuals contributed to individual families, the head of which was on the border, and when applications were made to the War Department for allowance to a family at home they were not allowed, and those families were dependent entirely upon individual charity during the period. I recall a number of families I took care of myself.

Mr. CANNON. The gentleman, as I understand it, will not be reimbursed?

Mr. MADDEN. I do not expect to be. I was glad to make the contribution.

Mr. CANNON. And the equivalent of the amount contributed when the claims are allowed will be deducted from the amount.

Mr. MADDEN. I do not see how it could be, because the Government would have no means of knowing what I contributed.

Mr. FITZGERALD. There would be no means of knowing it. The applicant states what the amount of his income is and what sources of income all the members who are dependent have. There may be many cases in which assistance was extended by individuals or associations to families of the soldiers of which the soldier had no knowledge.

Mr. CANNON. Precisely.

Mr. FITZGERALD. Thus allowances might be made to them while some additional help had been extended from private sources.

Mr. MADDEN. As a matter of fact, in the cases which I have described there was no allowance made by the Government to the family at all, though application had been made for it and the family at home was dependent entirely upon what men like myself were willing to contribute to their support while their husbands and fathers were on the border doing duty for their country.

Mr. CANNON. In those cases under the questions that have to be answered when the application is made nothing would come of the application, because there has been an income that supported the family, as I understand it.

Mr. MADDEN. The applicant himself might not know that his family was living on the charity of their friends. They might be doing that without giving any information to the husband or father who was on the border. There are cases

where the family was dependent entirely upon individual charity at home, and when the husband made application to the Government it was disallowed.

Mr. FITZGERALD. It would not be allowed under such circumstances only because of the inability of the man properly to make out his application. I have read the application blank, and if the dependent members of the family had no source of income, and if he had been able to show he had been contributing to the support of his family when he went into the guard, he was allowed up to \$50 when contributing that much, less anything he might be receiving in excess of \$15 a month in the Army.

I ask the Clerk to read.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

New York assay office: For wages of workmen and other employees, \$25,000.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking my colleague if this sum of \$25,000 in this item and \$20,000 in the next item is the sum asked for in the estimates?

Mr. FITZGERALD. It is the amount requested.

Mr. BENNET. Of course, it is made necessary by reason of the additional work.

Mr. FITZGERALD. That is true of all of these items in the mint and assay offices. The committee recommended the amounts requested, because they are necessary to continue the operation of the plants to the end of the fiscal year upon the basis of the present pay roll.

Mr. BENNET. And if it is not enough it is the fault of the departments and not of the Congress?

Mr. FITZGERALD. Yes. We give them every dollar they ask.

The CHAIRMAN. The Clerk will read.

The Clerk resumed and completed the reading of the bill.

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise and report the bill with the recommendation that it do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. STEPHENS of Texas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19178) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes, and had directed him to report the same to the House with the recommendation that it do pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. McLEMORE, by unanimous consent, was granted leave of absence until January 6, 1917, on account of important business.

DISTRICT APPROPRIATIONS.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19119, with Mr. GARRETT in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union, and the Clerk will report the title of the bill.

The bill was read by title.

Mr. GARD. Mr. Chairman, I desire to ask how much, if any, of the bill the Clerk has read.

The CHAIRMAN. The first paragraph.

Mr. GARD. Then, having read the first paragraph, I move, Mr. Chairman, to strike out the last word, this being done for the purpose of asking a question of the chairman of the committee. I desire to ask the chairman of the subcommittee of the Committee on Appropriations this question: In his statement of yesterday, I understood him to say that he and his fellow

members of the committee were opposed to the plan contained in the bill of providing for the fiscal relations in the District of Columbia by the old half-and-half ratio. Is that true?

Mr. PAGE of North Carolina. That is true as to the members of the subcommittee who formulated this bill.

Mr. GARD. I desire to ask the chairman further what, last year, in fact, was the ratio of apportionment between the General Government and the District of Columbia?

Mr. PAGE of North Carolina. In the bill as passed, the current law, which carries something over \$12,000,000, the ratio as between the District revenues and the General Treasury was in round numbers about 60-40, possibly 61-39.

Mr. GARD. That is, 61 per cent for the District and 39 per cent for the General Government?

Mr. PAGE of North Carolina. Yes.

Mr. GARD. What would be the proportion under the present appropriation?

Mr. PAGE of North Carolina. I have not worked out that percentage, I will say to the gentleman, but not very far from the same percentage, because this bill carries a larger amount.

Mr. GARD. As a matter of fact, then, the so-called fiscal relation of half and half is purely a legal fiction and does not obtain in fact?

Mr. PAGE of North Carolina. It has not obtained in fact for several appropriating years in the past.

Mr. BORLAND. Mr. Chairman, I move to strike out the last two words.

The chairman of the subcommittee has reported this bill with the half-and-half language in it as in the former bill. On yesterday, in explanation, he stated that he thought it was futile to engage in this short session in another fight to abolish that half-and-half principle. I did not understand him to mean that it would be futile so far as the judgment and opinion of this House were concerned. I think that with the light that has been thrown upon it by the committee, the absolutely impartial committee that examined into the fiscal relations of the District and the Government, and by the light that has been thrown upon it by the chairman of the District Committee and his researches, and also by the Appropriations Committee, the opinion is pretty well settled in this House that the half-and-half principle has been outgrown and that the old form of the half-and-half contribution ought to be abandoned.

Now, the truth about the matter is this: The District now raises over \$8,000,000 in taxation, and if the Federal Government were compelled to contribute an equal amount it would compel us to find some way of expending \$16,000,000. Manifestly we have not been able hitherto to do that, even with the most generous and modern government in the District of Columbia.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. COX. It would not be very difficult to find a way to spend that money if the House would proceed to increase salaries as it did yesterday, would it, here in the District of Columbia?

Mr. BORLAND. Well, I think it would take a great many increases of salary; but, as I said a moment ago, the House has never been able to spend double the amount of taxes raised in the District of Columbia. And when we speak of the taxes raised in the District of Columbia we are speaking only of taxes upon tangible personal property and real estate and the excise taxes upon merchants. We have now added a tax on intangible property, and by this bill we are providing for an annual tax upon automobiles. We ought to have a general inheritance tax in the District of Columbia. If we did, the receipts in the District would be between \$12,000,000 and \$13,000,000—almost enough to carry the entire burden of the District.

Now, the result is simply this: Congress, in its wisdom, appropriating only \$13,000,000 when the District raises \$8,000,000, a certain amount goes back into the Treasury, and will under these appropriation bills, even when the appropriation bill is drawn to require half-and-half payment. The practical effect is that the surplus is left, which is covered into the Treasury to the credit of the United States, and stays there. So that, as a matter of fact, the old half-and-half system is broken down of its own weight.

Personally I think it ought to be abolished, and I think that this House, if it had the time at this short session, with the matters crowding in it, would do well to have abolished it at the short session. As the gentleman said yesterday, the fight, or the movement, in favor of abolishing it and adjusting the system of relations existing between the Government and the District of Columbia has not been abandoned, and the manner in which this bill is drafted, in the very wording of the old law, is not to be taken as evidence of such abandonment.

Now there is another thing I wanted to say in that connection, and it is this: It has always been assumed by a very small but active element here that the District of Columbia was some kind of a principality or conquered province, and that we could not govern it without some kind of a treaty with that province. That is a misconception. The whole creation of the District of Columbia is referable to the provision of the Federal Constitution providing that Congress shall have a seat of Government. It has nothing else as a foundation for its creation. It is the National Capital. It belongs to the people of the Nation. It does not belong in any sense, whether small or great, to the men who happen for their own convenience to transact business here or own property here. We owe them no obligation to treat them as a municipality. The people of the United States own this District. They have a right to raise here all the taxes that are customarily raised upon private property anywhere in the United States, and they have a right to expend those taxes in providing the very best form of government that we can provide for the District. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

GENERAL EXPENSES.

Executive office: Two commissioners, at \$6,000 each; engineer commissioner, so much as may be necessary (to make salary \$6,000); secretary, \$2,400; three assistant secretaries to commissioners at \$1,600 each; clerks—one \$1,500, two at \$1,400 each, two at \$1,200 each, one (who shall be a stenographer and typewriter) \$1,200, one \$840, two at \$720 each; two messengers, at \$600 each; stenographer and typewriter, \$840.

Mr. COX. Mr. Chairman, I make a point of order against that paragraph. There is an increase of salary there.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman reserve his point of order for a moment?

Mr. COX. Yes; I will reserve it.

Mr. PAGE of North Carolina. Mr. Chairman, I can not say that I am at all taken unawares by the point of order being made against the increase of salary for the Commissioners of the District of Columbia which has been provided in this bill, an increase from \$5,000 to \$6,000 a year. However, I am sorry that the point of order has been made.

I want to say to the House in this connection and in justification of the recommendation made by the committee for the increase of the salaries of the Commissioners of the District that I am sure that the membership of the House individually and personally are not acquainted with the duties that these men have to perform. Their hours are not confined to seven or seven and one-half, as in the case of the Government clerks, and their responsibilities are onerous. In addition to those duties which the Commissioners of the District have had to discharge for a number of years, new duties have been imposed upon them by the passage of the utility act, creating them into a utility commission, and the new burdens incident to that legislation have been imposed upon them. These men not only have the duties ordinarily imposed upon the governing heads of a city, but they have had imposed upon them by that act of Congress the duties devolving because of this legislation, the result of which has been that they are possibly as hard-worked men as there are in the District of Columbia, either in the employment of the District or of the Federal Government, and they have very large responsibilities.

Here is an appropriation bill carrying between \$12,000,000 and \$13,000,000 to take care of the activities of this city, including the responsibilities for the expenditures, the responsibilities of the proper organization, and direction of all these activities devolving upon these three men under this organization; and I submit to the House that they not only earn but they are entitled to the compensation that the committee has undertaken to give them in this bill.

I regret very much that my friend has seen fit to make the point of order. Of course, it is subject to a point of order, and I shall not contest it.

Mr. MANN rose.

Mr. PAGE of North Carolina. I yield to the gentleman. That is all, Mr. Chairman, that I care to say.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. PAGE of North Carolina. I yield to the gentleman from Illinois.

Mr. MANN. Do we make any provision whatever for the benefit of these commissioners except their salaries?

Mr. PAGE of North Carolina. None whatever.

Mr. MANN. Do they get automobiles?

Mr. PAGE of North Carolina. There is one automobile for the use of the two civilian commissioners, and the engineer commissioner has one automobile.

Mr. MANN. The gentleman says that the two civilian commissioners have the use of one automobile. As a matter of fact, has not each one of them the use of an automobile?

Mr. PAGE of North Carolina. No; that is not my understanding of it.

Mr. MANN. Does not each one of them ride to his office?

Mr. PAGE of North Carolina. There is only one automobile for the civilian commissioners.

Mr. MANN. Do they have a carriage, then?

Mr. PAGE of North Carolina. No; they have no carriage. The provision authorizing this automobile was accompanied with a provision providing that the carriages might be disposed of.

Mr. MANN. The gentleman is quite sure that they provide their own carriages when they travel to their offices?

Mr. PAGE of North Carolina. No; I will not make that statement positively. I have seen one of them going to the office in an automobile, and I think the only occasion when I saw the other civil commissioner he was on foot, as was I.

Mr. MANN. An automobile is usually provided for these people as officials of the Government. I think they are the highest paid officials of the city of Washington for the work they do.

Mr. PAGE of North Carolina. I would like to call the attention of the gentleman to the provision in this very bill, that "the appropriations in this act shall not be expended for the purchase or maintenance of horses or horse-drawn vehicles for the use of the commissioners."

Mr. EMERSON. They do not want horses any more?

Mr. PAGE of North Carolina. There is a prohibition against any of this money being used for the purchase or maintenance of a horse-drawn vehicle.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. PAGE of North Carolina. I yield to the gentleman.

Mr. MADDEN. The gentleman stated a moment ago that the public-utilities act imposes a great deal of additional work upon the commissioners. Will the gentleman be kind enough to state to the committee how much additional expense is incurred by the employment of experts who take charge of the work in connection with the public-utilities act.

Mr. PAGE of North Carolina. The current law, as I recall it, carries \$34,000 to pay the salaries of men who are employed under the utilities act.

Mr. MADDEN. What was expended during the current fiscal year for that purpose?

Mr. PAGE of North Carolina. They had only \$10,000 in addition to the sum that I have mentioned for the employment of experts.

Mr. MADDEN. The experts do the work, and it costs \$34,000—will cost that for the fiscal year?

Mr. PAGE of North Carolina. Yes.

Mr. MADDEN. In this appropriation which is about to be made, and which is to be added, of course, to the expense for the employment of the commissioners; so that as a matter of fact the commissioners do not do the work imposed upon the Public Utilities Board, but that work is done by men who are expert in that line.

Mr. PAGE of North Carolina. That remark only verifies the statement which I made in the beginning, that the membership of the House do not know what the commissioners do. They are sitting every day now as a Public Utilities Board, sitting long hours, in the examination and comparison of the valuations that have been made, with those of the public-service corporations, of those utilities.

Mr. MANN. Will the gentleman yield?

Mr. PAGE of North Carolina. I yield to the gentleman from Illinois.

Mr. MANN. Did the commissioners ask for this increase for themselves?

Mr. PAGE of North Carolina. There was an estimate submitted. As submitted from the commissioners, they estimated for \$7,500 for the salary of each commissioner.

Mr. MANN. Then they asked for an increase of 50 per cent in their salaries.

Mr. PAGE of North Carolina. There was no possible way for it to reach us except through the commissioners.

Mr. MANN. Did they ask for any such increase for the various low-paid employees in the District of Columbia?

Mr. PAGE of North Carolina. No; they did not for the employees as a whole. In the estimate they asked for a number of increases.

Mr. MANN. Did they ask for as much as a 50 per cent increase for anybody else except themselves?

Mr. PAGE of North Carolina. No; I think not.

Mr. MANN. And no increase for the ordinary laborers?

Mr. PAGE of North Carolina. Yes; for some of the ordinary laborers they did, but not as a whole.

Mr. MANN. Not the ordinary laborers. They did not ask for any increase for the charwomen.

Mr. PAGE of North Carolina. No; they asked for an increased number of charwomen.

Mr. MADDEN. Yes; and an increased number of other people.

Mr. PAGE of North Carolina. For street employees they did.

Mr. AUSTIN. Mr. Chairman, I wish to congratulate the gentleman in charge of this bill [Mr. PAGE] on his conversion on the question of increases of pay for Government officials. I remember the impressive speech he made on the floor of the House yesterday against an increase of pay for the subordinate officers of the Government.

Mr. PAGE of North Carolina. I know the gentleman wants to be fair.

Mr. AUSTIN. Yes; absolutely.

Mr. PAGE of North Carolina. I did not make any impassioned appeal against an increase for these people. I made an appeal against an increase that I thought was not justified in comparison with the work these employees do as compared with private employees. I have come in this morning asking some small recognition for administrative men who, I do not think, are paid in comparison with the gentleman and myself for the work that we perform.

Mr. AUSTIN. I remember, I think correctly, the admonition of the gentleman from North Carolina [Mr. PAGE] to the majority side of the House not to be carried away, not to increase these Government salaries from \$1,800 down beyond an increase of 5 or 10 per cent; and the statement also was made by the gentleman that every Democratic Member here knew that there were an army of applicants on the outside who would be quite anxious to step in and accept these positions with prevailing salaries.

Mr. PAGE of North Carolina. Mr. Chairman, can the gentleman deny that statement which I made yesterday?

Mr. AUSTIN. If that statement is true—

Mr. PAGE of North Carolina. Is it not true?

Mr. AUSTIN. I have no Democratic applicants, and I am not concerned with the question of patronage; but if that statement be true in reference to these subordinate positions, I submit to the gentleman, if the same argument does not apply in reference to these high-salaried positions, the Commissionerships of the District of Columbia, and if there are not thousands of men who would be glad to have those positions at the present salaries of \$5,000 each?

Mr. PAGE of North Carolina. I assume that there are just about the proportion of men in the District of Columbia who would like to have the office of commissioner that there are in the gentleman's district who would like to have his place.

Mr. AUSTIN. But the gentleman is evading. Does not the same argument obtain in this particular case, where it affects some of these high-salaried officers, that did appeal to the gentleman yesterday when we were insisting upon a fair, just, and reasonable increase of the pay of clerks, watchmen, firemen, skilled laborers, and charwomen? Here is an increase of 20 per cent. Yesterday we were appealing for an increase of 20 per cent for the \$1,600, \$1,400, \$1,200, and \$900 clerks, and the gentleman opposed that.

Mr. PAGE of North Carolina. Will the gentleman yield for a question?

Mr. AUSTIN. Certainly.

Mr. PAGE of North Carolina. I would like to ask the gentleman if he did not vote yesterday to increase the pay of his own secretary 33½ per cent?

Mr. AUSTIN. Yes; Mr. Chairman—

Mr. PAGE of North Carolina. I did not.

Mr. AUSTIN. And what I insisted on was not only that increase, but increases all along the line.

Mr. PAGE of North Carolina. Did the gentleman insist upon an increase of 33½ per cent for the employees of the Government carried in the legislative bill?

Mr. AUSTIN. I had an amendment here which carried an increase of 25 per cent, 20 per cent, 15 per cent, and 10 per cent, but the ruling of the Chair prevented me from offering my amendment for a larger increase.

Now, I want to say to the gentleman, as I said yesterday to the House, that it is unjust and absolutely unfair of Congress when in season and out of season it increases the high-salaried officials and absolutely refuses to increase in proportion the low-salaried officials. We have increased the salaries of the Presi-

dent and the members of his Cabinet, the members of the Supreme Court, the circuit and district judges, and the Members of Congress, and now here is an effort to-day to increase the salaries of the Commissioners of the District of Columbia, right in the face of a majority of this House refusing yesterday to give an adequate and just increase along the same lines to the poorly paid Government employees. I think we were right yesterday, and I congratulate the gentleman from North Carolina [Mr. PAGE] for seeing a new vision to-day, and I hope he will carry it all down the line and give every subordinate in the District of Columbia the same rate of increase—20 per cent.

Mr. HOWARD. Mr. Chairman, as a member of the Subcommittee on Appropriations that recommended the bill to the full committee, I want to say this: It is always a very easy matter for one side of the House to criticize the other for its action. The gentleman from Tennessee [Mr. AUSTIN] is complaining about the attitude of certain Democrats on this side on yesterday relative to increase of pay of the smaller salaried men in the Government employ. The gentleman and his party had absolute power for 16 years, undisputed power, and all during that time they made no effort to correct any injustice that was done to these men in the Government service in the lower grades of employment. But now, when another party is in power, they criticize us for not going far enough.

Now, Mr. Chairman, I want to submit this proposition to the House: The Government of the United States does not pay all of the salaries of the employees of the District of Columbia. The larger portion is paid by the taxpayers of this District eventually. The citizens in this District who are interested in their government have held meetings in different parts of the city, and they themselves have recommended and passed resolutions asking that the Commissioners of the District of Columbia have their salary increased—not a thousand dollars a year, but their salaries increased \$2,500, making them \$7,500. Since I have been on the Committee on Appropriations it has been my pleasure to come in intimate contact with the Commissioners of the District of Columbia, and I unhesitatingly say that there are not three harder-worked men in the District of Columbia in any employment, private or governmental, than the three present commissioners in the District. They are men who reflect great credit on the appointive power in selecting them. The people of the District are all applauding their efforts, their untiring efforts, in behalf of the welfare of this District.

Mr. MANN. Will the gentleman yield?

Mr. HOWARD. Yes.

Mr. MANN. Is their time fully and completely occupied now with the business of the District?

Mr. HOWARD. I will answer the gentleman by saying that this is a city of about 390,000 people, and every time I have been into the District building for the transaction of any business in connection with my work as a member of the Committee on Appropriations or any other matter I had up with the District Commissioners I have found them there on the job.

Mr. MANN. I could say that myself, for I have never called on them.

Mr. HOWARD. I have called on them numerous times.

Mr. MANN. I ask the gentleman if their time is fully occupied by the business of the District?

Mr. HOWARD. I will say to the gentleman that I think it is. Mr. MANN. Then how can they each take a chairmanship of committees for the inaugural, which must take a great deal of their time?

Mr. HOWARD. That is an honorary position.

Mr. MANN. Not at all; it is a very active position.

Mr. HOWARD. I presume if the gentleman from Illinois had had an opportunity to take a chairmanship next March he would have been glad to have accepted it. He could have spared the time, although I know he is one of the hardest-worked men in Congress.

Mr. MANN. The gentleman is mistaken. I would attend to my official duties and let some man who had the time attend to the inaugural preparations without an increase of salary.

Mr. HOWARD. I want to say that the present commissioners—the two civil and the engineer commissioners—are rendering as efficient service and do more for the material welfare of the District of Columbia than any three men that have occupied the positions within the last 25 years.

Mr. MADDEN. Will the gentleman yield?

Mr. HOWARD. Yes.

Mr. MADDEN. Does the gentleman know at what hour of the day the offices in the District building are closed?

Mr. HOWARD. I do not; but I get down there early, a long time before the gentleman from Illinois comes down town in his limousine, and I have never been there after 9 o'clock that I

did not find the particular commissioner with whom I had business to transact.

Mr. MADDEN. I said, what time do the offices close, not what time do they open.

Mr. HOWARD. I have been there at 5 o'clock in the afternoon, and all the commissioners were there engaged in a matter that involved the public utilities.

Mr. MADDEN. I suppose the gentleman will believe me, and I expect the gentleman is going to believe what I am going to say. I went down there one day at half past 2. The man inside, the watchman or whatever you may call him, accosted me and wanted to know where I was going. I said I was going to see the commissioners. He said, "No; you are not. The office of the commissioners is closed at 2 o'clock." And I was not permitted to see the commissioners. I did not tell him who I was, but I thought that an ordinary American citizen, who did not look like a burglar, ought to be treated with more respect in a public building than to be told that he could not see a public officer who is paid out of the Public Treasury.

Mr. HOWARD. I am sure the watchman's eyes were very poor, or the gentleman did not note on the calendar that it was a legal holiday.

Mr. MADDEN. It was not a legal holiday.

Mr. HOWARD. The gentleman knows that with all the supervisory Government officials the offices are not open to the public after 2 o'clock.

Mr. MADDEN. Is a Member of Congress considered as belonging to the general public? But it makes no difference whether he is or not, the law says that the public offices in the District of Columbia shall be open from 9 o'clock in the morning until half past 4 in the afternoon.

Mr. HOWARD. I know that the watchman could not take the gentleman from Illinois to be an ordinary man—

Mr. MADDEN. I think it is an outrage to close the public offices at 2 o'clock in the afternoon. I do not think the commissioners can be attending to the business for which they are paid when they close their offices at that early hour in the day.

Mr. HOWARD. That would apply to every other Government official head in Washington.

Mr. MADDEN. Then the same thing is true as to all of them?

Mr. HOWARD. They must have some time in which to attend to the executive matters of the District of Columbia.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of New York. Mr. Chairman, I would like to ask if that statement is true, that the supervising Government officials close their offices at 2 o'clock?

Mr. HOWARD. Yes; there is a sign up in the Post Office Department and in the Department of Justice, and in every other department, that their offices are closed to the public after 2 o'clock.

Mr. SMITH of New York. Do not all of the Cabinet officers receive delegations in the afternoon?

Mr. HOWARD. Sure; they will do it by engagement; and as for the gentleman from Illinois [Mr. MADDEN], I know that nobody regrets that occurrence more than the present Commissioners of the District of Columbia, because they were deprived of the distinguished honor of a visit from my most amiable friend from Illinois, and I now apologize for that watchman who was so indiscreet—

Mr. MADDEN. Oh, the gentleman need not apologize.

Mr. HOWARD. In not recognizing the distinguished gentleman from Illinois.

Mr. MADDEN. I simply make this statement to the public, that neither the Commissioners of the District of Columbia nor any Cabinet officer in the United States has any power under the law to fix a rule that will close their offices to the public at half past 2 o'clock, because the law distinctly says these public offices shall be open for the transaction of public business from 9 o'clock in the morning until half past 4 o'clock in the afternoon.

Mr. HOWARD. In conclusion, I will just say this: That I think that \$6,000 a year pay for the Commissioners of the District of Columbia is reasonable pay; that it is not exorbitant; that they ought to have it on account of the responsibilities attached to their office, and on account of the class of men that is required to fill these positions.

Mr. DILL. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. DILL. If the committee thought it proper to raise the salaries of these commissioners, who already receive \$5,000 a year, \$1,000, why does the committee report in its bill the payment of salaries to men at four and five hundred dollars a year, without raising them to a living wage?

Mr. HOWARD. Why, there has to be a difference in pay, because there is a difference in intellect and training; there is a difference in efficiency and in men. There is a minimum and a maximum pay in all things. I have seen some lawyers that I would not give \$5 to represent me, while I have seen others that I would readily give \$5,000 to represent me if I were in a tight place.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DILL. Does the gentleman think they should be paid so little wages that their standard of living must be forced down?

Mr. HOWARD. I do not.

Mr. DILL. Does the gentleman think a decent standard of living can be maintained on four or five hundred dollars a year?

Mr. HOWARD. I think they ought to have an increase, and they are going to get it.

Mr. DILL. Does the gentleman believe that with the prices of foodstuffs the way they are, and of clothing, and of shelter, a man can keep a family on \$500 a year?

Mr. HOWARD. I do not.

Mr. DILL. Does the gentleman think a Government like this can afford to continue to pay such salaries, then?

Mr. HOWARD. I do not think that, and I think we are going to increase them.

Mr. DILL. Ten per cent, which will mean \$50.

Mr. HOWARD. Well, that is a heap. I have seen the time when if I had had \$50 I would have thought that I was rich. That is a good deal.

The CHAIRMAN. The time of the gentleman from Georgia has expired. Does the gentleman from Indiana insist upon his point of order?

Mr. COX. Mr. Chairman, I want to make a brief statement. I regret very much to disagree with my friend from North Carolina [Mr. PAGE], the gentleman in charge of this bill, a man whom I have always followed and followed implicitly since he has had charge of appropriation bills relating to the District of Columbia.

One thing, however, I am delighted at and it is this: That the gentleman does not seek to justify this increase upon the high cost of living. He seeks to justify the increase of salary from \$5,000 to \$6,000 per annum on the ground of the increased responsibilities coming to the commission. One of the increases of responsibility which has come to them, according to the gentleman's version of it, is the Public Utilities Commission. I see in this bill an appropriation for \$55,000 for the Public Utilities Commission. I imagine that the increased work thrown upon these commissioners by virtue of the creation of that commission is a mere bagatelle, that whatever work is thrown upon them by virtue of that is worked out, completed in its minutest detail, laid upon the tables and desks of the commissioners for their approval. That argument may be carried clear down the line as the responsibilities of the departments of the Government have materially increased in the last few years, in fact, are increasing every year. Now, if every time a little additional burden is to be thrown upon the head of a department and that head of the department must be compensated by an increase in salary, the Lord himself only knows where the limit is to extend.

Mr. LLOYD. If the gentleman will permit, in this matter of public-utility work there have been hearings for quite a while, nearly every day, and they have done a large amount of work along that line, which is an investigation of the whole subject. It is not taking matter, as the gentleman suggests, that is found on a table and passing on a thing already found out, but they are investigating the thing originally and they have been doing that kind of work for quite a while.

Mr. COX. Well, the presumption of the law is that every officer ought to do his duty. The presumption of law is that the officer does do his duty. The officer does not do his duty unless he devotes his entire time and efficiency to the office, no matter whether additional responsibility has been thrown upon him by virtue of new legislation or not, and even though this may be an additional burden it can not take any more time away from these men than they are required to give by law to the public. Now, the gentleman from Illinois [Mr. MANN] talked about certain benefits that this commission have. I

want to call the attention of the committee to page 17 of this bill, to that part of it which relates to automobiles. On page 17 you will find a provision for automobiles for the offices of the civilian commissioners. Now, I am willing to take the word of the gentleman in charge of this bill upon it, but the language contained on page 17 of the bill provides "automobiles for the officers of the civilian commissioners."

Mr. PAGE of North Carolina. If the gentleman will permit, that is not for the commissioners, that is for the officers under the civilian commissioners, and it goes on to enumerate them.

Mr. COX. Do the commissioners use these automobiles?

Mr. PAGE of North Carolina. They do not use them. As a matter of fact these automobiles are used by the various heads of the different departments in the discharge of their duties—the superintendent of streets and various others. There is really but one automobile for the use of the civilian commissioners.

Mr. COX. I am willing to accept the gentleman's version upon that point. Now, I have not been very much impressed all through this argument of yesterday and to-day about these eternal increases in salaries, and yet I do not want to be hard-hearted; I do not want to be cold-blooded; I want to be deliberate about these things; but if we continue these constant increases in salaries I do not know where we are going to land. I know there is a belief prevalent now in some of the departments here, because they have told me, for more than one head of the various departments of this Government have said, "You always get economy by paying high-priced salaries." I do not believe that. I believe you can get a good man to fill these places for \$5,000 a year. I say no doubt but what these men are good, are competent, but I have no doubt you can get men just as good for \$5,000 per year.

Mr. SNYDER. Will the gentleman yield?

Mr. COX. I will yield.

Mr. SNYDER. Does the gentleman know whether any of these resident commissioners have notified the committee that in case their salaries are not raised they will resign.

Mr. COX. I do not think they have.

Mr. SNYDER. I have not heard of any.

Mr. COX. Some one upon the floor made the argument this morning that everybody here in the District of Columbia wants these salaries increased. As far as I am concerned, I will not object if this bill were amended so as to let these proposed increases of salaries be paid exclusively out of the revenues of the District.

Mr. MANN. Will the gentleman yield?

Mr. COX. I would not object to it. Yes; I yield for a question.

Mr. MANN. Was not the statement made, not that everybody in the District wanted salaries increased, but that certain localities of people had gotten together and asked for the increases?

Mr. COX. I think that is true.

Mr. MANN. Does the gentleman imagine that the people of the District would have got together and asked for increases in the salaries of the commissioners unless some of the employees under the commissioners had had the meeting called?

Mr. COX. I think that is probable. So if the people here in the District are really desirous of having these salaries increased let us put them to the test, a patriotic test, and let the patriotism go to the pocketbooks of the people of the District of Columbia. Let them pay it and not undertake to force the people of the United States to pay these increases of salary.

Mr. SIMS. Will the gentleman yield?

Mr. COX. I will yield to the gentleman.

Mr. SIMS. Would the gentleman not also couple with that proposition one providing that if the District pay all charges due to increases they should have all the appointments and not have them made upon the recommendation of Senators and Members of the House?

Mr. COX. I never made any such recommendations.

Mr. SIMS. It takes a good deal of the time of Members hearing those who seek their support in their applications for positions in the District service.

Mr. MANN. I would like to inquire whether anybody in this House knows of a case where the commissioners appointed anybody at the request of a Member of the House?

Mr. COX. I have not made any such request. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. PAGE of North Carolina. Mr. Chairman, I wish to offer two amendments.

The CHAIRMAN. The gentleman from North Carolina offers two amendments. The Clerk will report the first one.

The Clerk read as follows:

Page 2, line 5, after the word "at," insert "\$5,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the other amendment.

The Clerk read as follows:

Page 2, line 7, after the word "salary," insert "\$5,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

So much of existing law as provides that the assessor of the District of Columbia and the members of the permanent board of assistant assessors shall not be removed except for inefficiency, neglect of duty, or malfeasance in office, is repealed: *Provided*, That on and after the date of the approval of this act all records and accounts in any way relating or pertaining to the bookkeeping, accounting, and collection of taxes and assessments now prepared and kept in the office of the assessor of the District of Columbia shall be transferred to and kept in the office of the collector of taxes of said District; and the collector of taxes shall hereafter be charged with the duties heretofore required of the assessor in relation to the preparation and issuance of tax bills and bills for special taxes and assessments; the preparation for public inspection of lists of all real estate in the District of Columbia heretofore sold, or which may hereafter be sold, for the nonpayment of any general or special tax or assessment; and said collector shall furnish, whenever called upon, a certified statement, over his hand and official seal, of all taxes and assessments, general and special, that may be due at the time of making the said certificate; and he shall prepare the lists of taxes on real property in said District subject to taxation on which taxes are levied and in arrears on the 1st day of July of each year: *Provided further*, That on or before November 1 of each year the assessor shall prepare and deliver to the collector of taxes of said District tax ledgers in completed form, showing the assessed owners, amount, description, and value of real property listed for taxation in the District of Columbia; and on or before April 1 of each year the assessor shall prepare and deliver to the said collector personal-tax ledgers in completed form, showing the names and addresses of assessed owners and the location and value of property assessed: *And provided further*, That the register of wills of the District of Columbia shall hereafter furnish copies of wills, petitions, and all necessary papers wherein title to real estate is involved to the collector of taxes and the assessor of said District.

Mr. MADDEN. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois makes a point of order against the paragraph, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

License bureau: Superintendent of licenses (who shall also be secretary to the automobile board without additional compensation), \$2,000; clerks—1, \$1,400 (transferred from assessor's office); 1, \$1,200 (formerly license clerk, assessor's office); 1, \$1,000 (transferred from assessor's office); 1, \$900 (formerly index clerk and typewriter, engineer commissioner's office); inspector of licenses, \$1,200 (transferred from assessor's office); assistant inspector of licenses, \$1,000 (transferred from assessor's office); in all, \$8,700.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

Mr. PAGE of North Carolina. Mr. Chairman, I send an amendment to the Clerk's desk.

The CHAIRMAN. Does the gentleman from North Carolina concede the point of order?

Mr. PAGE of North Carolina. I do.

The CHAIRMAN (Mr. DUPRÉ). The point of order is sustained.

Mr. PAGE of North Carolina. I concede the point of order, and I ask unanimous consent to revert to page 4 of the bill, line 18, made necessary by this paragraph going out on the point of order, and offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 4, strike out lines 18 to 25, inclusive, and, on page 5, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"Assessor's office: Assessor, \$3,500; assistant assessors—3 at \$3,000 each, 2 at \$2,000 each; 5 field men at \$2,000 each; record clerks—1 \$1,800, 2 at \$1,500 each, 1 \$1,200; clerks—4 (including 1 in arrears division) at \$1,400 each, 4 at \$1,200 each, 8 (including 1 in charge of records) at \$1,000 each, 2 at \$900 each, 2 at \$720 each; draftsmen—1 at \$1,600, 1 at \$1,200; 2 stenographers and typewriters at \$1,200 each; assistant or clerk, \$900; license clerk, \$1,200; inspector of licenses, \$1,200; assistant inspector of licenses, \$1,000; 2 messengers at \$600 each; board of assistant assessors—clerk \$1,500; vault clerk \$900, messenger and driver \$600; temporary clerk hire, \$500; in all, \$68,340."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

All the authority, duties, discretion, and powers now vested by law in the assessor of the District of Columbia with respect to licenses and the issuance thereof, shall, on and after July 1, 1917, be transferred to and vest in the superintendent of licenses provided for in this act.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

Mr. PAGE of North Carolina. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Excise Board: Three members, at \$2,400 each; clerk, \$1,500; inspector, \$1,500; messenger, \$600; hire of means of transportation, \$1,000; in all, \$11,800. *Provided*, That the term of office of any member of the Excise Board whose nomination has been or may be rejected by the Senate shall be terminated by such rejection and no part of this appropriation shall be used to pay the salary of any member of the board whose nomination has been rejected by the Senate.

Mr. MANN. Mr. Chairman, I make the point of order against the proviso in the paragraph.

The CHAIRMAN. The point of order is made against the proviso in the paragraph.

Mr. MANN. It is subject to a point of order, and I do not see any need in carrying it.

Mr. PAGE of North Carolina. I concede the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Office of corporation counsel: Corporation counsel, \$4,500; assistants—first \$2,500, one \$2,500, second \$2,000, third \$1,800, fourth \$1,500, fifth, \$1,500; stenographers—1 \$1,200, 1 \$840; 1 \$720; clerk, \$720; in all, \$19,780.

Mr. MANN. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry. You provide for first assistant corporation counsel, second assistant corporation counsel, third assistant corporation counsel, and so forth, but what is this new man to be called?

Mr. PAGE of North Carolina. We did not designate him or give him any title whatever except as counsel.

Mr. MANN. But he is assistant corporation counsel at \$2,500 a year. The assistants are—first \$2,500, and a second \$2,000. So his title will be "one assistant corporation counsel." The others are designated as "first," "second," "third," and so on.

Mr. PAGE of North Carolina. I will say to the gentleman that if the committee had followed out the criticism he is making they would have changed the man at \$2,000 as second assistant and made this second. But the idea was to give the corporation counsel another assistant.

Mr. MANN. I understand, but as long as that is designated that way—

Mr. PAGE of North Carolina. And if the gentleman will allow me I will offer an amendment, as follows:

On page 8, line 21, strike out the word "one" and insert "second."

Mr. MANN. Put them all together.

Mr. PAGE of North Carolina. I will put them all together. I will change the form of the amendment:

In line 21, strike out the word "first" and the word "one" and the word "second," so that it will read "assistant"

Mr. MANN. Strike out "one" and insert "second," and strike out "second" and insert "third"; strike out "third" and insert "fourth," and so on. Put them all together in one amendment.

Mr. PAGE of North Carolina. Yes. Strike out in line 21 the word "one" and insert "second"; strike out "second" and insert "third"; in line 22 strike out "third" and insert "fourth," and in the same line strike out "fourth" and insert "fifth"; strike out of the same line "fifth" and insert "sixth."

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 8, line 21, strike out the word "one" and insert "second"; strike out the word "second" and insert the word "third"; line 22, strike out the word "third" and insert the word "fourth"; strike out the word "fourth" and insert "fifth," and strike out the word "fifth" and insert the word "sixth."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word, and asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

Farmers' produce market: Market master, \$900; assistant market master, who shall also act as night watchman, \$600; watchman, \$600; laborer for sweeping sidewalks on B, Little B, and Tenth and Twelfth Streets NW., and the center walk of the Farmers' Produce Market Square, and raking up space used for market purposes, \$480; laborer to remove market refuse from streets and from sidewalks around Farmers' Produce Market and to assist in the care of the interior of the market, \$480; hauling refuse (street sweepings), \$600; in all, \$3,660.

Mr. DILL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. DILL. I do so for the purpose of asking the chairman a question.

Mr. PAGE of North Carolina. Very well.

Mr. DILL. I notice in the hearing that a recommendation is made for an increase in the price of these laborers in the Eastern and Western Markets, and the committee not only did not raise this one on page 10, but left those wages at \$300.

Mr. PAGE of North Carolina. I will say to the gentleman that these were left as they are on the theory of carrying on this bill a general increase such as was carried on the legislative bill.

Mr. DILL. Which would make their salaries \$330.

Mr. PAGE of North Carolina. Which would increase their salaries by 10 per cent.

Mr. DILL. In the hearings I notice that Mr. Brownlow says these men work every day, although they do not always work 10 hours a day.

Mr. PAGE of North Carolina. They are on the job every day, but their hours of service do not always cover a whole day.

Mr. DILL. They clean up the place?

Mr. PAGE of North Carolina. Yes; they clean up the place, but it does not require a full day's labor.

Mr. DILL. I will not take the time to offer an amendment, because I take it that a point of order would be raised, as was done all through the other bill. But it does seem to me that \$25 or \$27 a month, as it will be, is an exceedingly low wage.

I note also that Mr. Brownlow says that one of these men has written to him saying it was impossible for him to live on \$300 a year. Of course, that is needless to be stated.

Mr. PAGE of North Carolina. These services, of course, are not continuous, nor are the hours long. Otherwise the wages would have been increased beyond that scale. In the bill two years ago we increased them from \$240 to \$300, so that they have been receiving some little increase in the last year. On the statement that the gentleman makes, putting the wage at \$27 a month, it does seem to be a small wage. That is true, but perhaps they have some employment elsewhere. It is not an exacting employment, as I understand.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Engineer commissioner's office: Engineer of highways, \$3,000; engineer of bridges, \$2,500; superintendents—1 of streets \$2,000, 1 of suburban roads \$2,250, 1 of sewers \$3,300; asphalt and cements—inspector \$2,400, assistant inspector \$1,500; trees and parkings—superintendent \$2,000, assistant superintendent \$1,350; assistant engineers—2 at \$2,200 each, 4 at \$1,800 each, 2 at \$1,600 each, 4 at \$1,500 each, 2 at \$1,350 each, 1 \$1,200; transimen—3 at \$1,200 each, 1 \$1,050; rodmen—4 at \$900 each, 8 at \$780 each; 12 chainmen, at \$650 each; draftsmen—1 \$1,500, 2 at \$1,200 each, 1 \$1,050; general inspector of sewers, \$1,300; inspector of sewers, \$1,200; bridge inspector, \$1,200; inspectors—2 at \$1,500 each, 5 (including 2 of streets) at \$1,200 each, 1 \$1,000, 1 \$900; foremen—12 at \$1,200 each, 1 \$1,050, 10 at \$900 each; foreman, Rock Creek Park, \$1,200; 3 subforemen, at \$1,050 each; bridge keepers—1 \$650, 3 at \$600 each; chief clerk, \$2,250; permit clerk, \$1,500; assistant permit clerk, \$1,000; clerks—1 \$1,800, 3 at \$1,500 each, 1 \$1,400, 2 at \$1,350 each (including 1 transferred from per diem roll), 7 at \$1,200 each, 2 at \$1,000 each, 1 \$900, 1 \$840, 2 at \$750 each, 1 \$720, 1 \$600; 7 messengers at \$600 each; skilled laborers—1 \$625, 2 at \$600 each; janitor, \$720; steam engineers—principal \$1,800, 3 at \$1,200 each, 3 assistants at \$1,050 each; 6 oilers, at \$600 each; 6 firemen, at \$875 each; inspector, \$1,400; storekeeper, \$900; superintendent of stables, \$1,500; blacksmith, \$975; 2 watchmen, at \$630 each; 2 drivers, at \$630 each; in all, \$179,640.

Mr. PAGE of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment by Mr. PAGE of North Carolina: On page 11, after line 14, insert the following:
"Index clerk and typewriter, \$900."

Mr. PAGE of North Carolina. I will say, Mr. Chairman, in regard to this amendment that this employment was transferred from this paragraph to the license bureau, but went out on a point of order. It is simply a matter of transferring it back.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PAGE of North Carolina. I ask unanimous consent, Mr. Chairman, that the Clerk may be allowed to correct the total.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that the Clerk may be allowed to correct the total. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Board of examiners, steam engineers: Two members, at \$300 each, \$600.

Mr. PAGE of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment by Mr. PAGE of North Carolina: On page 13, after line 18, insert the following: "Automobile board, secretary or acting secretary, \$300."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Free Public Library, including Takoma Park branch: Librarian, \$4,000; assistant librarian, \$1,500; chief circulating department, \$1,200; director of children's work, \$1,500; children's librarian, \$1,000; assistant in charge of school work, \$1,000; librarian's secretary, \$1,000; Takoma Park branch librarian, \$1,000; chiefs of divisions—order and accessions \$1,200, industrial \$1,200; reference librarian \$1,000; assistants—1 \$1,000, 1 in charge of periodicals \$1,000, 1 \$900, 7 at \$840 each, 7 (including 1 for the Takoma Park branch) at \$720 each, 3 at \$600 each, 3 (including 1 for Takoma Park branch) at \$540 each; copyist, \$540; classifier, \$900; cataloguers—1 \$840, 1 \$720, 2 at \$600 each; stenographers and typewriters—1 \$900, 1 \$720; attendants—1 \$720, 6 at \$600 each, 5 at \$540 each; collator, \$540; 3 messengers, at \$600 each; 10 pages, at \$420 each; 3 janitors, at \$480 each, 1 of whom shall act as night watchman; janitor of Takoma Park branch, \$360; engineer, \$1,200; fireman, \$720; workman, \$600; library guard, \$720; 2 cloakroom attendants, at \$360 each; 2 charwomen, at \$240 each; in all, \$59,420.

Mr. MANN. Mr. Chairman, I suggest that the word "Takoma" on line 16, page 14, should have its spelling corrected to read "Takoma."

Mr. PAGE of North Carolina. Yes.

The CHAIRMAN. In the absence of objection, the correction will be made.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For printing all annual and special reports of the government of the District of Columbia for the fiscal year ending June 30, 1917, for submission to Congress, \$5,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. I will ask the gentleman out of what fund this printing comes now?

Mr. PAGE of North Carolina. They have had an allotment from the congressional printing fund, but the law has been so amended that they can not use it for that purpose, and this becomes necessary.

Mr. MANN. How is the law amended?

Mr. PAGE of North Carolina. By a ruling, as I understand, of the Joint Committee on Printing.

Mr. MANN. Do they not get an allotment out of the printing appropriation in the sundry civil bill?

Mr. PAGE of North Carolina. No; they do not.

Mr. MANN. That is sufficient. I withdraw the point of order. I think they do a lot of useless printing.

Mr. PAGE of North Carolina. We investigated this matter, and the commissioners estimated for \$6,000 on this item, and we took it up with the Public Printer to find out how much printing had been done under the old act for the commissioners and found it would have amounted to that much. But we took the liberty of cutting them down from about \$9,000 that they had been getting under this old provision; we took the authority to cut it down to \$5,000, thinking that they had more of their reports printed than was actually necessary.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I would be perfectly willing, so far as I am concerned, to appropriate money for somebody who would print a decent map of Washington or the District of Columbia. We get, I believe, in connection with our Congressional Directory a map of the city of Washington, made in the seventeenth century, evidently, or the eighteenth; certainly, it was not the nineteenth or the twentieth. Nobody can tell anything about it. You can not get a decent map from the District Commissioners. At least, I have not been able to, although I have gotten several that were no good. There is no other city in the world that I am familiar with, although I am not familiar with very many, where you can not find a map that gives information in reference to the city. I got a map from the District Commissioners last

year and on it, for instance, it shows Sixteenth Street plainly opened and extended where it does not exist. That is about the only clear thing that it did show, and that was not so.

Mr. PAGE of North Carolina. I will say to the gentleman that I hope very much that the Engineer Commissioner of the District will read the Record to-morrow.

Mr. MANN. Oh, probably he may, so far as it relates to his salary.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

In all, for motor vehicles, \$18,860. All of said motor vehicles and all other motor vehicles provided for in this act and all horse-drawn carriages and buggies owned by the District of Columbia shall be used only for purposes directly pertaining to the public services of said District, and shall be under the direction and control of the commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District: *Provided*, That no automobile shall be acquired hereunder, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding \$700 for one seating more than two persons, \$500 for one seating not more than two persons, or \$2,000 for a motor truck: *Provided further*, That hereafter all motor vehicles and all horse-drawn carriages and buggies owned by the District of Columbia shall be of uniform color and have painted conspicuously thereon, in letters not less than 3 inches high and markedly contrasting in color with the body color of the vehicle, the words "District of Columbia."

Mr. MANN. Mr. Chairman, I move to strike out the last word. Does the gentleman in charge of the bill happen to know how many automobiles the street-cleaning division has?

Mr. PAGE of North Carolina. Four.

Mr. MANN. And they are buying two new ones this year, and want to buy two new ones next year. How long do those machines last?

Mr. PAGE of North Carolina. I think there is one new this year for the superintendent of the street cleaning department.

Mr. MANN. It says—

Two automobiles to be purchased in lieu of automobiles to be exchanged.

Mr. PAGE of North Carolina. Yes.

Mr. MANN. The same provision is carried in the current law.

Mr. PAGE of North Carolina. Yes; that is true.

Mr. MANN. That makes two this year and two next year.

Mr. PAGE of North Carolina. Yes; unless they are exchanging the same ones they did last year, and I think they are not.

Mr. MANN. If they are buying two new ones—

Mr. PAGE of North Carolina. I think the gentleman's first idea is the correct one.

Mr. MANN. I was wondering how long they were able to use these machines.

Mr. PAGE of North Carolina. I think the life of a Ford machine—

Mr. MANN. I am not speaking of their life, but how long these people keep them generally, and whether they—

Mr. PAGE of North Carolina. I can say to the gentleman, not as regards these particular machines to which he refers, that in the hearings there is evidence that there are machines being used by the District employees now that are 4 years old, some of them, so I presume that they use them a longer period of time than that.

Mr. MANN. Of course, it depends very largely on the care of a machine how long it lasts.

Mr. PAGE of North Carolina. I understand that.

Mr. MANN. And whether they want to break up a machine, or whether they want to keep it.

Mr. PAGE of North Carolina. In the absence of other evidence I assume that there is enough direction and supervision over this machinery to prevent wanton destruction or abuse of it.

Mr. MANN. If they can get two new machines every year, doubtless they will continue to do that.

Mr. PAGE of North Carolina. I do not think that will keep up indefinitely, of course. The two machines to be exchanged were purchased in 1913, according to the evidence in the hearing, one for \$1,532.60 and one for \$536.65. One has a mileage of about 30,000 miles and the other a mileage of about 17,000 miles. That is the statement made by the engineer commissioner in the hearing.

Mr. MANN. I should not think that was a very great mileage for the streets of the District of Columbia. Still, I do not know much about machines.

Mr. PAGE of North Carolina. I should say that when a machine of that kind had made 30,000 miles the expense of upkeep would justify a private owner in making an exchange.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. Can the gentleman from North Carolina advise us how

many motor vehicles are now owned by the District of Columbia in its different departments?

Mr. PAGE of North Carolina. We have provided in this paragraph, either for the purchase of new ones or the maintenance of old ones, for 19 motor vehicles. That is about as nearly as I can tell the gentleman.

Mr. WINGO. Can the gentleman tell me whether or not anyone has ever been punished for a violation of the inhibition against the use of these machines for other than purposes directly pertaining to the public service?

Mr. PAGE of North Carolina. No; the gentleman having charge of this bill has no connection whatsoever with the enforcement of the law in the District of Columbia and no connection with the police force, and can not give the gentleman from Arkansas any information on that subject.

Mr. WINGO. As a matter of fact, it is notorious that that law is a dead letter.

Mr. PAGE of North Carolina. No; to be perfectly fair, I do not think that is a fair statement. I think that at one time there was very great abuse. Limitations were put upon it, and a great deal was said on the floor of the House by various Members as to this abuse; and my information, from such sources as I can gather it, is that there is now a minimum of the misuse of these cars.

I will say to the gentleman further than that in the bill a year ago, in an effort not only to bar the use of these cars for other than official purposes, but in order that the machines owned by the District government might be utilized to the fullest extent, we authorized the purchase of land and the construction of a central garage in proximity to the District building, so that all these machines should be under the direction of some central authority; and, for instance, if the superintendent of the street-cleaning department was not using the machine assigned to him, and there was occasion for some other department to use a machine, that it might be temporarily turned over to that department in an effort not only to utilize the machines that they had to the greatest practicable extent, but also to have them more directly under the eye of some responsible person, so that this abuse of which he speaks, which existed at one time, might still further be diminished.

Mr. WINGO. I will say to the gentleman, in justice to the officials of the District of Columbia, that I think there is less abuse of their cars by using them for private purposes than there is possibly of cars that belong to other departments. It is a fact that is notorious, however, to anyone who keeps his eyes open that you can see these cars—not only of the District of Columbia but of other departments—used for all kinds of private purposes. You can find them at almost any hour of the night—cars belonging to some departments—parked before some of these apartment houses.

Mr. PAGE of North Carolina. If the gentleman will permit me, I do not know that there is any greater violation of the law with reference to the use of automobiles than there is of any other law to which there is no penalty attached.

Mr. WINGO. I agree with that.

Mr. PAGE of North Carolina. I know it is less than it was in prior years, and I hope it will be less in future years than it is at present.

Mr. WINGO. It was less about two years ago, but it was pretty notorious last winter. I kept track of one or two cases last winter for several nights, and there were not less than two Government-owned automobiles standing in front of a fashionable apartment house at an hour as late as I cared to be up, being a man used to country life and country habits. I do not know how long they remained there after I went to bed. They were not being used officially. I do not mean to say that they were being used for any improper purpose, other than that they were officially prohibited from the use that they were being put to. I recognize that it is impossible to enforce this inhibition absolutely. The only thing that can be done is to keep it down to the minimum. It is sometimes exasperating to see some man who criticizes the alleged extravagance of Congress riding around in a Government-owned car and using it for private purposes. When men occupying minor positions in the Government attempt to criticize Members of Congress for alleged extravagance in voting for appropriations it is a little irritating to see those same Government employees misusing Government property. I had in mind a particular instance, and my sole object in rising was simply to relieve my mind of a little feeling of exasperation that I had on account of one of these gentlemen. Having relieved my mind of that, I have no desire to embarrass the gentleman in charge of this bill by blaming him for a lack of enforcement of the law which I know he and other Members of Congress can not prevent. Congress has prohibited by law the use of these cars for private purposes, and if those upon

whom the duty devolves willfully and contemptuously ignore the law, as it is notorious they do, they and not Congress should be criticized and held to account.

The Clerk read as follows:

For erection of suitable tablets to mark historical places in the District of Columbia, to be expended under the direction of the Joint Committee on the Library not exceeding the sum of \$500 of the unexpended balances of the appropriations made for this purpose by the acts of June 27, 1906, and subsequent District of Columbia appropriation acts, is continued available for the fiscal year 1918.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Why do they not use this money? There are a great many historical places in and around Washington. A great many visitors come here and tablets marking historical places would be of great advantage. But I suppose the commissioners are so busy getting their salaries increased that they do not have the time.

Mr. PAGE of North Carolina. If the gentleman would let me answer his question before he undertakes to answer it himself—

Mr. MANN. I was trying to incite the gentleman to an answer.

Mr. PAGE of North Carolina. The commissioners are very anxious to expend this money, but it is under the control absolutely of the Joint Committee on Library and they will not designate the places where they can put them, and so the commissioners can not expend the money. That is the answer to the gentleman's question. If he has any quarrel it is with the Joint Committee on the Library and not with the Commissioners of the District. As busy as the commissioners are they would like to be a little busier.

Mr. MANN. If it is the Joint Committee on the Library, they are so busy reading the innumerable bills providing for monuments and statuary that they have not the time.

Mr. PAGE of North Carolina. I shall not undertake any defense of that committee for they can defend themselves.

Mr. MANN. I withdraw the pro forma amendment.

The Clerk read as follows:

On and after January 1, 1918, every deed offered for record in the office of the recorder of deeds for the District of Columbia shall have attached thereto an affidavit duly executed by the grantor named in said deed setting forth the true consideration passing from the grantee to the grantor as the purchase price of property therein conveyed, and the recorder of deeds for the District of Columbia shall refuse to accept for record any deed which does not have attached thereto such affidavit: And provided further, That on and after January 1, 1918, all deeds of trust secured by real estate in the District of Columbia and offered for record in the office of the recorder of deeds for the District of Columbia shall have attached thereto an affidavit wherein the party secured by said deed of trust sets forth that the sum of money recited in said deed of trust as the sum in which he is secured is the amount actually loaned by him on the security of said real estate, and the recorder of deeds for the District of Columbia shall refuse to accept for record any deed of trust which does not have attached thereto such affidavit.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

Mr. PAGE of North Carolina. Mr. Chairman, this is clearly subject to a point of order, and it is not worth while to waste any talk about it. I do not think I could persuade the gentleman.

Mr. MANN. The gentleman's committee does not have jurisdiction of this; it is pending before another committee.

Mr. PAGE of North Carolina. The gentleman recognizes that, but he also recognizes the fact that it will remain pending there for a long time.

Mr. MANN. It ought to if it is drawn in this form.

Mr. PAGE of North Carolina. The gentleman will have the chance on the floor if it comes in in this form.

The Clerk read as follows:

For purchase of enamel metal or other metal identification number tags for horse-drawn vehicles used for business purposes and motor vehicles in the District of Columbia, \$1,500.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word. It is unfortunate that the preceding paragraph has gone out on a point of order. It may not be strictly in order on an appropriation bill, but it is certainly very germane to an appropriation bill. The purpose of it, of course, is to secure a distinct and fair assessment of the real estate in the District. The people who own property in the District and pay the taxes are as much interested in a fair assessment as anybody else.

There is another purpose, and that is to prevent colorable sales which may be made at a fictitious valuation surrounding proposed public improvements by the Federal Government. I have in mind the purchase of the land between here and the Union Depot for the purposes of Capitol Park. The law was so drawn that a certain amount was to be bought every two years, and each installment cost more than the last. A great many apparent or pretended sales were made in that vicinity, upon

which testimony was predicated of the value of the land. Whether those sales were genuine nobody knew.

As long as we have a system in the District of Columbia of buying land for public purposes and condemning it under the terms of the Constitution before a jury, and no part of the cost is assessed back on the property owner, there is no check on the value of that land. If any portion of it, 20 per cent, 10 per cent, or 5 per cent of the cost of the improvement was ever assessed back on the benefit district, the attorneys representing the property owners in the benefit district would be there to cross-examine the witnesses. But they are not there and it is all one-sided—Uncle Sam on the one side and everybody else on the other. The valuations given by the witnesses are not analyzed nor criticized from any scientific standpoint. Here we have a check, a genuine check, on wash or fictitious sales. If there is any reform in the interest of the taxpayers and the Federal Government, this ought to go in for the purposes of true valuation, and if it can not go in anywhere else it ought to go in on an appropriation bill.

Mr. MADDEN. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. MADDEN. Does the gentleman know of any place in the United States where a municipality purchases land by condemnation where any part of the cost of the purchased land is charged back to the abutting property owners?

Mr. BORLAND. Where the land is purchased for Government use that is true. Where it is purchased for park purposes it is universal, except in the District of Columbia, to assess a portion of the cost back on the abutting property owner. That is what was done in the city of Chicago; the boulevard in that magnificent city was formed on that principle.

Mr. MADDEN. I think the gentleman is wrong. I think where you open a street by condemnation and it thereby improves the value of the abutting property a portion may be assessed on the property owner, but if you buy land for the purpose of using it as a park, that has nothing to do with the abutting property, and no part of it should be charged back, and the gentleman knows it.

Mr. BORLAND. The gentleman from Illinois is entirely mistaken about that. I may say that Kansas City is divided into five park districts, and each park acquired is assessed against the property in that park district in which it is acquired, and it is paid separately from the general taxes of the city. That is not a rare case, but, in my judgment, it is uniform and almost universal in the country. I am speaking of the situation of the Federal Government; the Federal Government is compelled to buy a great deal of land, but it is not compelled to buy land for the beautification of the cities.

This question of parks is a beautification of the city, as the Capital. All of your Capital parks, Rock Creek extension, and all, ought to be assessed back on a benefit district, either constituting the District at large or the immediate adjoining property, and if it were, there would be a radically different attitude toward the damage allowed to the property in the taken district.

This amendment, in my judgment, opens up the door for a very decided reform in that direction.

Mr. MADDEN. Does the gentleman know any place in the United States where anybody is compelled to put the consideration into the deed?

Mr. BORLAND. No; I do not. I confess that is a new idea.

Mr. MADDEN. Why should there be any different law here than in any other place?

Mr. BORLAND. I confess that it is a new idea, but I do not see anything hostile in it to the interest of any honest man, if we compel him to put the consideration in his deed.

Mr. TILSON. Is not the value of the land stated for the purpose of the revenue stamp?

Mr. BORLAND. The revenue stamp has been abolished.

Mr. TILSON. This is for the future?

Mr. BORLAND. Yes; this would not take effect until the 1st of July, 1917.

Mr. MANN. Mr. Chairman, I wish to resist the motion to strike out the last word. It was indicated to me by the distinguished gentleman in charge of the bill and other gentlemen on the other side of the House that it was their desire to get along as speedily as possible with the appropriation bills, and without the expenditure of any great amount of hot air. Evidently they did not take my friend from Missouri [Mr. BORLAND] into consideration when they passed that word around, because, although the item has gone out of the bill, he wants to lecture me and the House with reference to the necessity of embodying it in the bill, and under the circumstances I think I shall call off all bets and indulge in a little myself.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. MANN. I will, although I did not interrupt the gentleman, but I realize that it is impossible under any circumstances to keep the gentleman from wanting to talk.

Mr. BORLAND. The chairman of the committee is in no wise responsible for "the gentleman from Missouri."

Mr. MANN. Oh, I know that, and the Chairman is glad of that and so am I. No one is responsible for the gentleman from Kansas City when he wants to talk. What are the facts in reference to this? The object of the bill to put the true value in a deed was not for the purpose indicated by the gentleman at all in reference to the condemnation of property. There has been no case in the District of Columbia and there will not be any case in the District of Columbia where in condemning property for park purposes we will levy a special assessment to pay for it, and the law now exists as to that in reference to the condemnation of streets. The purpose of putting this provision in is due to the recent inclination on the part of purchasers and sellers of property to keep their private business private, and not to put in anything but a nominal consideration. I would a little rather myself that they would put in the true consideration, but that is their private business. After all, the tendency in the country is to try to have uniformity in reference to deeds, and almost every State in the Union, if not every State, provides that a deed executed in another State in conformity with the laws of the other State is valid in the State in which it is recorded, and yet here we have a proposition to single out a little bit of territory, 50 or 60 or less square miles in extent, and say that a deed executed in relation to the District of Columbia in any State of the Union which conforms to the laws of that State shall be invalid in the District of Columbia, and the people who make the deed may not know anything about it at all until after a death has occurred, until after a bankruptcy has occurred, until after a great many things may have occurred, which renders it impossible to obtain a new deed. It is preposterous for the people to expect that in a little territory like the District of Columbia they are going to say that we shall be governed differently in respect to deeds than all the rest of the United States.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. BORLAND. I do not want to prolong this discussion—

Mr. MANN. Nor do I.

Mr. BORLAND. But I do want to remind the gentleman that he is in error in saying that a deed drawn according to the laws of some other State is good to pass land in a particular State.

Mr. MANN. Nearly every State in the Union has that provision.

Mr. BORLAND. Is it not just the other way, that the law is that the real estate is governed by the law of the State where the land lies?

Mr. MANN. Certainly it is.

Mr. BORLAND. And that the deed must conform to the law of the State where the land lies?

Mr. MANN. Certainly, that is the law; but if the law of the State provides that a deed executed and acknowledged in conformity with the laws of another State shall be valid in that State, that is the law of the State.

Mr. BORLAND. But that is not the case.

Mr. MANN. Of course, I suppose the gentleman has had great experience. I have been dealing in real estate all of my life and I have received and signed thousands of deeds, but I confess that I do not know as much about it as the gentleman from Kansas City. Yet that has been my experience.

Mr. BORLAND. The gentleman has considerably modified his statement.

Mr. MANN. I have not modified it at all.

Mr. BORLAND. I think he is a lot nearer correct. If the law of a State permits the execution of a deed outside, it is valid; otherwise, not.

The Clerk read as follows:

On and after December 31, 1917, all licenses, including identification tags and registrations, for motor vehicles heretofore granted shall expire and become null and void, and on and after January 1, 1918, there shall be charged annually for the licensing and registration of motor vehicles the following fees, which shall be paid annually to the collector of taxes of the District of Columbia and which shall include registration and the furnishing of an identification number tag—\$5 for each vehicle of more than 24 horsepower, \$3 for each vehicle of 24 horsepower or less, and \$2 for each motor cycle or similar motor vehicle: *Provided*, That the term "motor vehicle" used herein shall include all vehicles propelled by internal-combustion engines, electricity, or steam, except traction engines, road rollers, and vehicles propelled only upon rails and tracks: *Provided further*, That motor vehicles owned and maintained in the District of Columbia by the United States or the government of the District of Columbia shall be registered and furnished identification tags without cost: *And provided further*, That the Commissioners of the District of Columbia are authorized to

establish such rules and regulations and to affix thereto such fines and penalties as in their judgment are necessary for the enforcement of this act and the regulations authorized hereunder.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I know it is customary to give to the District Commissioners very great authority about controlling everybody in the District. Is this a proper regulation, to give them authority to prescribe penalties, fines, and so forth?

Mr. PAGE of North Carolina. I think within the limits of their power and in connection with the penalties and fines as to licenses of automobiles, we are not giving them any great authority.

Mr. MANN. They have some of the craziest regulations about automobiles in this town that the imagination of man could have devised. Does not the gentleman agree with me about that—some of the most foolish in the world?

Mr. PAGE of North Carolina. I agree entirely with the gentleman that the regulations as to traffic are not such as I would approve. Whether I accept his language in describing them I am not prepared to say. I have seen some very foolish regulations here, indeed.

Mr. MANN. They have a regulation here, for instance, saying that you can not put a strong light on your automobile on a dark road even when the automobile has no other light.

Mr. PAGE of North Carolina. That is equivalent to prohibiting the automobile from going on a dark road.

Mr. MANN. A man who wants to travel there can not travel at night over it, and yet if he does it the law is violated and he is subject to a fine.

Mr. PAGE of North Carolina. I think that the authorities themselves found out the ridiculousness of that, and they at least have not prosecuted anybody under it.

Mr. MANN. I will tell the gentleman something in reference to that. Last year I was going through Rock Creek Park several times at night. I think it is a beautiful place to go at night, and several times I was stopped by a policeman who told me, "You will have to turn off your lights or else pay a fine." Of course, that is practicable.

Mr. PAGE of North Carolina. Out in the park.

Mr. MANN. Out in the park; that is silly, of course, that nobody can go on those roads in Rock Creek Park, which are not lighted, on a dark night with a light. I went to Maj. Pullman, who was very courteous about it. That regulation was changed as to Rock Creek Park, but it still exists as to all the other country roads, and there are a great many in the District of Columbia, where people must travel in automobiles, but can not travel without being subject to a penalty. Well, the gentleman says they do not enforce it, but that is because they do not catch them; they have not had enough policemen to do so.

Mr. PAGE of North Carolina. I agree with the gentleman that this is altogether a regulation that can not be complied with.

Mr. MANN. That is only one way of many. I myself have never been taken in tow by an officer.

Mr. PAGE of North Carolina. I have.

Mr. MANN. But very frequently I have seen them take somebody else in who was not violating the law.

Mr. PAGE of North Carolina. Is the gentleman blaming me about it?

Mr. MANN. No; I am trying to get information—yes, partly, because the gentleman proposes to extend the authority of the commissioners.

Mr. PAGE of North Carolina. Well, I will make a confession to the gentleman. If I could sit down and write the regulations for the governing of traffic, when you could turn on your lights and when you could not, if I had brought such a provision into this House, we would not pass this bill this session of Congress, because every gentleman who owns an automobile or operates one, or even walks where they are operated, has his own ideas about what ought to be done, and men might not even agree with the gentleman from Illinois about it.

Mr. MANN. I will accept anything the gentleman has said to be correct so far as I am concerned; it never annoys me. I believe, however, the real purpose of the provision is to do away with the existing system of licensing automobiles indefinitely.

Mr. PAGE of North Carolina. That is the real purpose of this provision.

Mr. MANN. Five dollars does not seem to be a very high license tax?

Mr. PAGE of North Carolina. I will say to the gentleman in that connection that the reasons the committee which prepared this provision here put the license low were two, one being that the jurisdiction is small, and the other that the man owning an automobile here—if he operates it, there being no reciprocal re-

lation between the adjoining jurisdictions—must go to the expense of buying a Maryland or Virginia license, and sometimes both. In addition to that they are required to give in their automobiles as personal property. They are paying a personal property tax of 15 mills on the value of the machine, so it is not so much the tax to be derived from it as to be able to have a system under which automobiles might be taxed equitably.

Mr. MANN. I heartily approve of the high license of Maryland, and if I were going to keep the roads in order—the automobiles destroy the roads faster than anything else in the world, although the automobilists will not admit it—

Mr. PAGE of North Carolina. Except the motor truck.

Mr. MANN. That is the same thing as far as the license is concerned. I think there ought to be a substantial license paid in the District of Columbia for automobiles which might probably be used in keeping the roads in repair. Anybody who will travel from the District of Columbia into Maryland will know the minute he strikes Maryland. Why? Because the roads become so decent you can ride without hitting the top of the machine; but not in the District of Columbia.

Mr. PAGE of North Carolina. If the gentleman will allow me to say I not only agree with him in what he is saying but I have had pending before the Committee on the District of Columbia, the legislative committee, for some time a bill for a higher license and providing that the revenue derived could be expended upon the suburban roads in the District of Columbia.

Mr. MANN. As long as the gentleman is usurping the function of the Committee on the District of Columbia, why did not he put that in at this place in the bill?

Mr. PAGE of North Carolina. There are several reasons, I will state to the gentleman. I did not have power myself to write this bill.

Mr. MANN. Oh, well; now, of course, Mr. Chairman, that does not go. The gentleman not only has power over the subcommittee, but over the full Committee on Appropriations, and over the House itself in reference to appropriations for the District of Columbia.

Mr. PAGE of North Carolina. If the gentleman concedes me that power over my subcommittee or the full committee on which I serve, or over the Committee of the Whole House on the state of the Union, if he will permit me at this juncture I will offer as a substitute for this bill the one I have now pending before the Committee on the District of Columbia.

Mr. MANN. I will vote for it very gladly.

Mr. MADDEN. I would like to ask the gentleman a question.

Mr. PAGE of North Carolina. I will yield to the gentleman, although I believe the gentleman from Illinois [Mr. MANN] had the floor.

Mr. Chairman, I will take recognition in my own right in order to answer the gentleman's question.

Mr. MADDEN. A great many people come to Washington, especially Members of Congress, and bring their automobiles here, and have their own State license. They are compelled to take out a license in their own State. Does this, then, compel them to take out a license in the District of Columbia as well?

Mr. PAGE of North Carolina. I think if you keep an automobile here a year it would, just as in Maryland.

Mr. FITZGERALD. Any Member of Congress who can afford an automobile these days ought to pay taxes.

Mr. MADDEN. Well, in our State, for example, we are compelled to pay a State license. Then we are compelled to pay a wheel tax in the cities, and these amount probably altogether to \$40 or \$50 a year. In cases where license charges of that sort are made and a man comes here just during the period of the congressional session it does not seem to me he ought to be taxed during his temporary stay here officially.

Mr. PAGE of North Carolina. I will say to the gentleman that the very question he has raised had some influence in the fixing of these license taxes, and they are lower than in almost any other jurisdiction.

Mr. MADDEN. I will say to the gentleman that the first tax ever imposed on automobiles was proposed by myself and the gentleman from New York on this bill, when I was a member of the Appropriations Committee a few years ago, and the license charge—

Mr. PAGE of North Carolina. Which was \$2 for all time. I hope the gentleman is not taking great pride in the authorship.

Mr. MADDEN. We were lucky to get that. When we got over to the other side we had a hard job. I think there ought to be a reasonable charge.

Mr. PAGE of North Carolina. I will say to the gentleman that if this provision stays in the bill it can from time to time be

amended not only as to the license tax but as to the administration under it, all the regulations and other things.

Mr. MADDEN. That is all right. I do not want to object to it.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MANN] withdraw the point of order?

Mr. MANN. I withdraw the point of order.

The CHAIRMAN. The Clerk will read.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bill and joint resolution of the following titles:

On December 19, 1916:

H. R. 10049. An act for the relief of Capt. Harvey H. Young.

On December 20, 1916:

H. J. Res. 91. Joint resolution authorizing and directing the Department of Labor to make an inquiry into the cost of living in the District of Columbia and to report thereon to Congress as early as practicable.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Provided, That streets and avenues named in said schedules already paved with Belgian block or granite shall not be paved or otherwise improved under this appropriation, and the remaining streets and avenues, except as herein specified, shall be contracted for in the order in which they appear in said schedules and be completed in such order as nearly as practicable, and shall be paved, in the discretion of the commissioners, instead of being graded and regulated.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question.

I notice all this work is provided for by reference to Appendix K in the Book of Estimates. I can not exactly visualize in a moment—or, rather, recall, to be more accurate—the trouble we got into in the State of New York by this method of legislation, by referring to another book, but I do know it was so serious that we amended the constitution of our State so as to prevent the passage of an act attempting to legislate by incorporating a reference to another book into legislation. I would like to ask the gentleman, in all seriousness and candor, if this method of legislation—I assume it is an old method—has proved to be satisfactory?

Mr. PAGE of North Carolina. This method of appropriation for the improvement of streets in what is known as the original city of Washington has been carried, so far as my investigation is concerned, back through all the appropriation bills. Carried in the bill prepared for the committee from the Book of Estimates, the committee print of this bill, there is for the guidance of the committee, so that they may know, the identical streets to which this appropriation is carried. The list is accurate. They might, of course, be transferred to the body of the bill, but it would entail just so much more printing, that is all. And if the gentleman thinks that is worth while, his suggestion might be carried out.

Mr. MANN. Of course, all the appropriations in the river and harbor bill, practically, are made by reference to the reports of the engineers, and if we carried them in the river and harbor appropriation act they would make 100 pages, or perhaps 1,000 pages or more.

Mr. BENNET. It is possibly a safe method in legislation. I did not rise for the purpose of criticism.

Mr. PAGE of North Carolina. I will say to the gentleman this in the past has been absolutely accurate. There has been no mistakes made and there has been no effort at overstepping what was estimated for and what was appropriated for.

Mr. BENNET. I will ask the gentleman a question. What is the reason for the provision in lines 13 and 14, which says:

That streets and avenues named in said schedules already paved with Belgian block or granite—

The English is very bad—
shall not be paved or otherwise improved.

That means the streets and not the schedules, of course. Is that because Belgian block and granite last longer?

Mr. PAGE of North Carolina. That provision was put in, I imagine, at some time because Congress wanted to designate when these Belgian blocks and granite should be taken up and replaced by asphalt. I am not familiar with when this language was originally put in the bill.

Mr. MANN. That provision was originally put in by some archaic gentlemen who were afraid to put decent streets in the

city of Washington. There are a lot of old Belgian-block pavements, not worn out, and which will not be worn out in a million years, on which nobody dare ride, and they are not fit to be used, and they decided they would not improve them or pave them with asphalt because they are already there. They were put in at a time when Belgian block was thought to be the best paving in the world. They were a pretty good pavement when there were no springs on wagons and nobody cared how much he was jolted. But they are there now. The gentleman can strike one just before you enter the driveway of Potomac Park. It was put there in that way.

Mr. MADDEN. Mr. Chairman, I would like to ask the chairman of the committee one question.

Mr. PAGE of North Carolina. Yes.

Mr. MADDEN. Why could not authority be given to the District Commissioners to cover these Belgian-block streets with asphalt? It can be done successfully and at very little cost. In all other cities where they are up to date they do not take off the Belgian-block pavement, but they use it as a base and cover it with asphalt. It makes the kind of street that ought to be made, and if we had commissioners in the District of Columbia who were alive to the needs of the District that is what they would do in this case.

Mr. PAGE of North Carolina. I will say to the gentleman from Illinois that he will find on the next page of the bill that we provide for several of these Belgian-block pavements that they be repaved with asphalt.

Mr. BENNET. I move, Mr. Chairman, to strike out the proviso on lines 13 to 20. It has not served any useful purpose. I agree with both gentlemen from Illinois, and in this particular with the gentleman from Illinois who spoke last, that in large cities the Belgian-block pavement, as in New York City, is now being used as a base for asphalt, and the result is that we are getting good streets.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. BENNET. Yes.

The CHAIRMAN. The gentleman from New York moves to strike out the proviso, which the Clerk will report.

The Clerk read as follows:

Amend, page 26, by striking out the proviso beginning with line 13 and ending with line 20.

Mr. PAGE of North Carolina. Mr. Chairman, I shall make no particular objection to the amendment offered by the gentleman from New York [Mr. BENNET], except that I would suggest in making it I do not know that he knows exactly what he is doing. I can not say that any of these streets will not be rather seriously affected by his amendment to these schedules.

Mr. MANN. It will not affect these streets at all. The estimate is already made. It will probably affect what they will submit next year to the Committee on Appropriations.

Mr. BENNET. Of course, as I understand it, the estimate is already made, and striking out this proviso would simply get rid of a bad precedent and enable the commissioners next year to approach this work with one fetter less in the way of improvement.

Mr. PAGE of North Carolina. Does the gentleman desire to strike out the direction as to the order in which these streets shall be taken up? He will find that on line 17.

Mr. BENNET. Which page?

Mr. PAGE of North Carolina. On the same page, on page 26, in the proviso that he moved to strike out. The language is:

And the remaining streets and avenues, except as herein specified, shall be contracted for in the order in which they appear in said schedules, and to be completed in such order as nearly as practicable, and shall be paved, in the discretion of the commissioners, instead of being graded and regulated.

Mr. BENNET. I think that is a matter that ought to be left in the discretion of the commissioners, the order in which they are contracted for; and I think it is a bad thing to bind them down as to the order in which they shall contract for them. Why should they be restricted? They might be able to secure a better contract for Georgetown at one time and for the northeast at another time.

Mr. PAGE of North Carolina. They are placed here in the order in which the commissioners thought they ought to be.

Mr. BENNET. Even if we strike them out the commissioners would probably let the contracts in that order, so that there is no necessity for having them stay in.

Mr. PAGE of North Carolina. I confess, Mr. Chairman, that I do not like to see this paragraph go out. There were certain schedules submitted in this Appendix K of the Book of Estimates, naming the different streets that would be improved under the amount estimated for, and in no single instance does the sum carried for that section of the city and for that improvement include all that was estimated for. In the judgment

of the committee we incorporated the sum for those we thought ought to be improved and left out those that should not be, and if this is stricken out it will give permission to the commissioners to use all the money appropriated on any of the streets in the schedule.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. Yes; I yield.

Mr. MANN. Take the northwest section schedule. The item carried this year is \$55,900?

Mr. PAGE of North Carolina. Yes.

Mr. MANN. Does that include all of the estimated cost of that schedule?

Mr. PAGE of North Carolina. No. There was estimated for that schedule \$82,400.

Mr. MANN. So that the committee, then, intended to appropriate a less amount than was estimated for it, with the idea that it would be used for the improvement of the streets first named?

Mr. PAGE of North Carolina. That is exactly true.

Mr. MANN. Of course, the committee does not pretend that it knows which streets ought to be improved?

Mr. PAGE of North Carolina. Only from an examination of those streets which need it most.

Mr. MANN. Well, I suppose the committee would hardly say that a not too critical examination would permit them to say which needed it most. The committee would determine whether they thought certain streets needed to be improved by looking at them.

Mr. PAGE of North Carolina. We have assumed to say, as between the items submitted in these schedules, which were needed most.

Mr. MANN. My recollection is fairly good. There has been no variation from this language for a great many years, and in each case the committee has taken them up in the order named by the commissioners. They have not varied that order one iota.

Mr. PAGE of North Carolina. No. I would say to the gentleman that that has not been true since I have been in charge of this bill. We have varied from it. Ordinarily that has been true, which means that the judgment of the subcommittee making up this bill agreed with the judgment of the engineer commissioner as to the necessity for the order in which he submitted them; but that has not always been true.

Mr. MANN. I thought it had, but of course the gentleman's statement is sufficient.

Mr. PAGE of North Carolina. The law requires that they shall submit these streets in the order of their importance.

Mr. MANN. I understand what the law requires, but that has nothing to do with the question.

Mr. PAGE of North Carolina. No; nothing at all.

Mr. MANN. If you accepted their order each time—

Mr. PAGE of North Carolina. If we accepted the full amount of their estimate—

Mr. MANN. No; if you accepted their order each time, you would not exercise any independent judgment.

Mr. PAGE of North Carolina. No; but we have not accepted their order each time. It happens that in this schedule here we have; but I point out to the gentleman now that in the schedule, in the northwest section, there are nine streets that they estimated for to be improved. The sum of \$35,900 carried under the northwest section provides for five of those streets. Now, if you strike out the language in the paragraph to which I called the gentleman's attention, there is nothing to prevent the commissioners improving first of all the four that the committee did not approve.

Mr. MANN. No; and if they had recommended those four at the head of the list, those four would be improved under the language of the committee.

Mr. PAGE of North Carolina. That may have been so in the past, but it is not so with this subcommittee.

Mr. MANN. It is so now, and it is so in all these bills. There has been no practical variation.

Mr. PAGE of North Carolina. Does it not occur to the gentleman from Illinois—

Mr. MANN. I do not criticize the gentleman and his committee.

Mr. PAGE of North Carolina. I understand. Does it not occur to the gentleman from Illinois that having this provision in the law inclines the commissioners to recommend those which are most needed?

Mr. MANN. I think that is true. I think what we should do is to strike this out and keep it out hereafter all the time. I do not think striking it out now will make any difference.

Mr. PAGE of North Carolina. Simply striking it out now will not make any difference; no.

Mr. CARLIN. I move to strike out the last word.

Mr. PAGE of North Carolina. Will not the gentleman from New York modify his amendment by striking out—

Mr. CARLIN. That is what I was coming to.

Mr. PAGE of North Carolina. Will not the gentleman from New York modify his amendment so as to strike out beginning with the word "already," in line 14, down to and including the word "specified," in line 17? I think that will serve the purpose, and I hope the gentleman will make that modification.

Mr. BENNET. I consent to that modification.

Mr. CARLIN. Just one second, before I renew it.

The CHAIRMAN. One moment. The gentleman from North Carolina offers an amendment to the amendment, which the Clerk will report.

Mr. BENNET. I have modified my amendment.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Provided, That streets and avenues named in said schedules shall be contracted for in the order in which they appear in said schedules, and be completed in such order as nearly as practicable, and shall be paved, in the discretion of the commissioners, instead of being graded and regulated.

Mr. BENNET. That is satisfactory to me.

The CHAIRMAN. The Chair understands that the Clerk has read the paragraph as it will read if the amendment is agreed to.

Mr. PAGE of North Carolina. That is true.

Mr. CARLIN. I was just going to say that I think that meets the suggestion which I was going to make, so as to leave in the bill the real substance of what is wanted, and to take out what we desire to have taken out.

Mr. PAGE of North Carolina. That is correct.

Mr. RAGSDALE. I should like, if I may, to get a little piece of information from the gentleman from North Carolina.

Mr. PAGE of North Carolina. Does it relate to the amendment which is now pending?

Mr. RAGSDALE. I think it relates to the expenditures of these moneys.

Mr. PAGE of North Carolina. Let us dispose of this amendment, and then the gentleman can get in a little later.

Mr. RAGSDALE. How long is this going to take?

Mr. PAGE of North Carolina. Just a moment.

Mr. RAGSDALE. All right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BENNET]. The Chair suggests that the amendment be reported again, because it has never been reported in the modified form. Let it be reported so that the RECORD may state it.

The Clerk read as follows:

Amend, on page 26, beginning with line 14, by striking out the words "already paved with Belgian block or granite shall not be paved or otherwise improved under this appropriation, and the remaining streets and avenues, except as herein specified."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York as modified, which has just been read.

The amendment was agreed to.

Mr. RAGSDALE. I just want, Mr. Chairman—

Mr. PAGE of North Carolina. Let the Clerk read another paragraph.

Mr. RAGSDALE. Very well.

The Clerk read as follows:

Under appropriations contained in this act no contract shall be made for making or relaying sheet asphalt or asphalt block pavement at a higher price than \$1.80 per square yard for a quality equal to the best laid in the District of Columbia during the years 1914 to 1917, inclusive, and with same depth of base: *Provided*, That these conditions as to price and depth of base shall not apply to those streets on which, in the judgment of the commissioners, by reason of heavy traffic, poor foundation, or other causes, a pavement of more than ordinary strength is required, in which case the limit of price may be increased to \$2 per square yard.

Mr. RAGSDALE. I move to strike out the last word. I wish the gentleman from North Carolina [Mr. PAGE] would give me a little light on a question raised by the gentleman from Illinois [Mr. MANN]. He indicated that the improvements of these streets were made according to the order in which they appeared in the bill. Is that correct?

Mr. PAGE of North Carolina. The order in which they appear in the schedule submitted in the Book of Estimates.

Mr. RAGSDALE. In other words, it is not left to the commission to say which streets they shall repair?

Mr. PAGE of North Carolina. No. It is their province to submit them in the order in which they think they should be improved in the list in the Book of Estimates. The committee and the Congress, of course, have the right to change that in any way they may see fit.

Mr. RAGSDALE. There seems to have been a deliberate attempt on the part of the commissioners, since I have been residing at the corner of Thirteenth and Clifton Streets, to keep every street around and adjacent to my house so torn up that the greatest amount of personal inconvenience would be inflicted on my family and on myself. I have noticed that this work usually stopped when we left town and began again about the time when we got ready to return. I just wanted to know whether it was any personal attention that these commissioners were paying to me, out of any special regard they had for me, or whether it was just simply the rule to do things in this way.

Mr. PAGE of North Carolina. If it will not wound the gentleman's pride, I may say to him that I do not suppose that the commissioners knew he was there. I know where the gentleman lives—right by the new Central High School. It happened that that was constructed upon a plat of ground surrounded by streets that had not been paved. Of course, the construction of the new building was the cause of the condition around the gentleman's home. As to whether the engineer commissioner or the street force have undertaken to punish the gentleman by doing the work when he is here and not when he is away, I can not answer.

Mr. RAGSDALE. That is a question upon which I wanted to get information. It seemed to me that the matter was so handled that the greatest possible inconvenience was visited upon me, and I just wanted to know whether I was being singled out. I am sure that it was not without the knowledge on their part, because I took occasion by phone, letter, and in person to inform them of the inconvenience, which seemed to increase the more I protested.

Mr. PAGE of North Carolina. The gentleman knows that because he happens to live across the street from the new Central High School, on a street that is unimproved, he would not have the work delayed.

Mr. RAGSDALE. Oh, no; but I will have lived there on January 1 a year. I think there has hardly been a period of time that the street has not been obstructed in that way.

Mr. PAGE of North Carolina. And it was occasioned largely by the construction of the new building. The gentleman will not claim that they could put up a building of that size without obstructing the street.

Mr. RAGSDALE. But they ought not to obstruct the street continually and leave great double wagon loads of material in front of my home at night.

Mr. PAGE of North Carolina. The gentleman does not attach any blame to the Appropriations Committee?

Mr. RAGSDALE. Oh, no; I am trying to get the proper information. I should like to know also who specially designed the ending up of the street—I think it is Thirteenth Street—that goes down between the Wardman Courts and the school building? That leaves one of the most dangerous turns that could be devised at the end of the long, dangerous hill, so that it runs into another square, whereas a slight alteration in the direction would obviate it.

Mr. PAGE of North Carolina. I suppose the gentleman would have to go back a good many years to find the culprit, because that was on the original plan of the laying out of Washington.

Mr. RAGSDALE. The change could easily have been made so as to make it a perfectly safe passage. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For repaving with asphalt the granite block roadway of First Street NW., between Defrees Street and I Street, 32 feet wide, \$1,350.

Mr. FESS. Mr. Chairman, I move to strike out the last word in order to ask the chairman a question. Is there any effort being made on the part of the District to ascertain which is the better method of paving? Is there any study or investigation being made?

Mr. HOWARD. As to the materials being used?

Mr. FESS. Yes; one of the questions concerning most of us is what sort of materials are best for roads that are being built that will not require to be repaved at periodic times.

Mr. HOWARD. I think the committee's information is that the District engineer's office is continually experimenting with materials, trying to ascertain which material is most substantial to use in the surfacing of roads. I think they get all the scientific information they can from every source as to what sort of material makes the best road.

Mr. FESS. Does the gentleman know whether we are advancing, especially in that line?

Mr. HOWARD. The Department of Agriculture, as the gentleman knows, under the Bureau of Highways, is carrying on all the time in and adjacent to the District experiments with

different materials for the construction of highways. The District Commissioners will get the benefit of these experiments, and what they recommend for roadways which are being paved is generally the best material that has been ascertained up to that time.

Mr. FESS. In the judgment of the gentleman, as far as he knows, are we making any special progress in that line?

Mr. HOWARD. I think so; very great progress.

Mr. FESS. Mr. Chairman; I withdraw the pro forma amendment.

The Clerk read as follows:

Upon the approval of said new highway plan for said subdivision of Barry Farm, the said commissioners are authorized to open, extend, or widen any street, avenue, road, or highway laid down on said plan, and in the interest of economy where buildings project beyond the highway lines shown on said plans, and it is practicable to move such buildings back to such highway lines, the said commissioners are authorized to designate such buildings in the petition of condemnation as buildings to be moved, and when so designated the condemnation jury shall allow in its verdict for damages to such buildings no greater amount than may be necessary to move such buildings; and the commissioners are further authorized to include in such highways any land owned by the District of Columbia that they shall deem necessary. The cost of said condemnation proceedings and all expenses incident thereto, including the cost of surveys and of the preparation of plats, shall be paid from the appropriation herein made for the extension of streets and avenues.

Mr. BENNET. Mr. Chairman, I move to strike out the last word in order to ask the gentleman a question. Has this particular provision here, which provides for a sensible thing, if it can be done, the moving of the buildings back, been tested in the courts as to whether a man can be compelled to minimize his damages in that way?

Mr. HOWARD. I do not know as to that. The testimony before the committee shows that this was a congested center out there known as the Barry Farm; that the landlord line really ran out to the middle of the street. At one time they had no water out there, but the commissioners have extended the water pipes so as to give them pure water. They are practically all colored people who live there. They have no sewerage. The proviso was put in the bill for the purpose of reducing the width of the street which, as a rule, is 90 feet wide. They have discovered that by making the roadway less than 90 feet they can make the necessary improvements. I will read to the gentleman, if he would like to have me do so, the statement by the commissioners which will give the information.

Mr. BENNET. The gentleman can state it in his own language perhaps better than that of the commissioners.

Mr. HOWARD. Col. Kutz, the engineer commissioner, said this:

All the lot lines run to the center of the existing roadways, and they are merely meandering trails without any pavement. We have, in the interest of health and sanitation, run small water lines through there so as to give them pure water, but we can not properly sewer the territory. We can not put in any sidewalks and we can not even pave. There is some doubt as to whether we can use our repair fund for the paving of those streets, because they are not in public ownership.

That is what he says about the situation up there.

Mr. BENNET. If the gentleman will permit, I am commending the committee for having done something if they can legally do it, but here is another question which the gentleman from Illinois [Mr. MADDEN] raised. What does this language mean: That said commissioners are authorized to open, extend, or widen any street, avenue, or road, or highway laid down on said plan and in the interest of economy where buildings project beyond the highway lines shown on said plans, and it is practicable to move such buildings back to such highway lines, the said commissioners are authorized to designate such buildings in the petition of condemnation as buildings to be moved, and when so designated the condemnation jury shall allow in its verdict for damages to such buildings no greater amount than may be necessary to move such buildings?

The gentleman from Illinois asks if this means just to move them right back, put them on the ground, or are they to be built on foundations?

Mr. HOWARD. The truth of the business is that these are practically shacks. They are very poorly constructed buildings, all of wood, and the object of this provision is this, that we take these houses and move them back so that we can improve this property for ingress and egress, which they have not now in any way. They have no roadways at all, and we are to put these houses on the same basis in which we found them—that is to say, of course, on foundations—leave them in as good condition as we found them.

Mr. BENNET. I think that very possibly the gentleman, if he wants to be sure to avoid litigation, could reach that by making this language more specific.

Mr. MANN. He can not avoid litigation. That is what this provides for.

Mr. BENNET. Of course, this is litigation; but what I meant was obstructive litigation on the part of some owner. I think this is a very good thing.

Mr. HOWARD. It is suggested by the chairman of the subcommittee, as I suggested a few moments ago, that these houses are of very little value.

Mr. MANN. They do not want to open these streets probably if they have to pay for all these houses. The cost is assessed back on the property. They want to open them if they can and move the houses back. The gentleman says possibly we have not authority. Nobody will know, I suppose, in respect to that until the court passes upon it.

Mr. BENNET. I was trying to ascertain whether the Committee on Appropriations have looked into that question of whether it could be done?

Mr. PAGE of North Carolina. Mr. Chairman, the chairman of the subcommittee does not happen to be a lawyer, and he does not rely on his own knowledge of the law. That question has not been brought up, I will be frank to say to the gentleman, during the hearings. We assumed that it could be done. The subcommittee does know that this needs very greatly to be done, for reasons that my colleague may or may not have mentioned during my absence. The principal reasons for the need of opening these streets and allowing this limitation on the width, a restriction on the original highway plan, is a health condition. You can not put down any paving, you can not put down any sidewalks, you can not run in your sewer lines, you can not put in your water, or you can not get the fire engines in there now, and if you were to improve these streets by the original highway plan of 80 feet or 90 feet in width, you would take these people's property and their houses, and there is no necessity for that. The main purpose is the modification of the original highway plan of allowing these people to run narrow 40-foot streets in there, in order to improve health conditions, so that they may get water in and pave the streets and get the fire engines in.

Mr. BENNET. But the gentleman's limitation is the opposite. It says that they shall not be less than 40 feet in width. They might be a hundred feet in width.

Mr. PAGE of North Carolina. But the original plan provides that they shall not be less than 80 feet in width.

Mr. BENNET. I am frank to say that if this can be done it is an admirable thing, and if it can be sustained in the court it is going to save the city of New York millions of dollars.

Mr. PAGE of North Carolina. Possibly we will do New York a great service by having this tested out.

Mr. BENNET. I was anxious to find out whether there had been any precedents or if there had been any investigation, or whether we were doing this simply by brute force—no—

Mr. PAGE of North Carolina. Not brute force, but just force.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words. I take it that it is quite obvious to any lawyer who has gone into the subject that we can not by a provision in the bill control the verdict of a jury. It seems to me that what the committee in charge of the bill intended was to provide that no greater payment should be made to any of the owners of this property than the amount necessary to move the buildings, and if that be the case, why not, instead of this provision, which it appears quite clearly to me can not be enforced, merely state that the commissioners shall not pay any greater sum than the amount necessary to move the building in any of these proceedings. The commissioners, of course, are not obliged to accept the result of the condemnation proceedings.

Mr. PAGE of North Carolina. I was just going to suggest to the gentleman that the commissioners are not obliged to accept the verdict of this condemnation jury, if it exceeds the amount, and I do not think the language would be necessary. The truth is that these people who live in there so greatly want this improvement that you are not going to have any trouble in carrying out the provisions. It is superfluous, I think, to provide against contingencies of that kind.

Mr. GREEN of Iowa. The principal objection that I would have to it would be that there would seem to be an intimation of a belief that such a provision should be carried out. It is quite clear, to my mind, that this Congress has no power whatever over the verdict of a jury.

Mr. PAGE of North Carolina. I think everybody recognizes that, whether he is a lawyer or is not.

Mr. GREEN of Iowa. But it would seem to me to have been better to simply provide that the commissioners shall not pay any greater sum than necessary to move the buildings. However, if the gentleman thinks that this provision will have

the effect of assisting in the settlement of these matters, I am not inclined to be captious.

Mr. PAGE of North Carolina. I think if it has any effect at all it will have that effect. Therefore we can let it go on and try it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Northeast. Twentieth Street, Jackson Street to Lawrence Street, grade and improve, \$3,700.

Mr. FOCHT. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman in regard to these sums here. They state in one item, "to grade, \$6,400," or in another item, "to pave, \$3,700." How many square feet is that intended to cover?

Mr. PAGE of North Carolina. It is indicated in the item itself. For instance, Douglas Street, Tenth to Twelfth Streets. That defines the distance.

Mr. FOCHT. How many square feet would that be? I am asking for information, and I would like to know what it costs here to pave with asphalt.

Mr. PAGE of North Carolina. We have a limitation that it shall not exceed \$1.80, and it is under that limitation we designate them in the block.

Mr. FOCHT. It is done under a previous paragraph which provides that the cost of asphalt shall not exceed \$1.80?

Mr. PAGE of North Carolina. Yes, sir.

Mr. FOCHT. I thank the gentleman very much.

The Clerk read as follows:

To carry out the provisions contained in the District of Columbia appropriation act for the fiscal year 1914, which authorizes the commissioners to open, extend, or widen any street, avenue, road, or highway to conform with the plan of the permanent system of highways in that portion of the District of Columbia outside of the cities of Washington and Georgetown, there is appropriated, payable entirely from the revenues of the District of Columbia, such sum as is necessary for said purpose during the fiscal year 1918.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word simply for the purpose of asking the gentleman in charge of the bill a question. Is this provision in the last paragraph just read the usual form, "there is appropriated, payable entirely from the revenues of the District of Columbia, such sum as is necessary for said purpose during the fiscal year 1918"?

Mr. PAGE of North Carolina. Yes, sir; that is the usual language carried in the bill.

Mr. GREEN of Iowa. There is no way of telling from the bill anything as to how much that amount would be.

Mr. PAGE of North Carolina. I can tell how much it was during the fiscal year 1916—\$18,700.

Mr. GREEN of Iowa. Knowing the commission as I do, I suppose it could be safely left in this discretion, but it seems to me it is a very wide discretion to be given.

Mr. PAGE of North Carolina. Their estimate is not to exceed \$35,000 during the life of this appropriation.

The Clerk read as follows:

Hereafter in all proceedings for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia the jury of condemnation shall not be restricted as to the assessment area, but shall assess the entire amount awarded as damages plus the costs and expenses of the proceedings as benefits upon any and all lots, parts of lots, pieces or parcels of land which they may find will be benefited by the opening, extension, widening, or straightening of the alley or minor street, or by the establishment of the building line as they may find said lots, parts of lots, pieces or parcels of land will be benefited.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. Does the gentleman from North Carolina concede the point of order?

Mr. PAGE of North Carolina. Mr. Chairman, I do not care to contest the point of order as it is subject to the point of order, and if the gentleman shall insist it will go out, but I want to say in that connection—

Mr. MANN. I will reserve the point of order.

Mr. PAGE of North Carolina. Under the present law it has been utterly impossible to open up any of these minor streets or alleys because they can not find the property upon which to assess the benefits necessary to do it. This language may not be—

Mr. MANN. I think I said they could not do it when we passed the Borland amendment before.

Mr. PAGE of North Carolina. The statement made to this committee is that it has been utterly impossible under the present law to open up any of these minor streets or alleys because under the terms of the law they can not assess—

Mr. MANN. Anything but abutting property?

Mr. PAGE of North Carolina. Yes.

Mr. MANN. I called the attention of the House to the situation when we passed that.

Mr. PAGE of North Carolina. And this is to remedy that.

Mr. MANN. I do not say it is not proper. The other was attached to an appropriation bill, I think, but I am not sure about that, but it ought to come from the legislating committee in a bill, so that Members may have an opportunity to examine it and know what it is.

Mr. PAGE of North Carolina. I am satisfied—

Mr. MANN. I have no criticism of the Committee on Appropriations for reporting such a thing, yet the commissioners, instead of going to the proper committee, having an opportunity easily in the hearings before the Appropriations Committee, asked them to amend the act. Meanwhile I do not think there is any great loss to the District of Columbia if it does not open some of the minor streets unless people are willing to give the streets.

Mr. PAGE of North Carolina. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Disposal of city refuse: For collection and disposal of garbage and dead animals; miscellaneous refuse and ashes from private residences in the city of Washington and the more densely populated suburbs; collection and disposal of night soil in the District of Columbia; payment of necessary inspection, allowance to inspectors for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed \$20 per month for each inspector for horse-drawn vehicles, \$25 per month for automobiles, and \$12 per month for motorcycles; fencing of public and private property designated by the commissioners as public dumps, and incidental expenses, \$186,640.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I think during the consideration of this bill for the current fiscal year the question was raised as to whether the commissioners had made any effort to receive any revenue for the privilege of the removal of dead animals from the streets. My recollection is that it was suggested that some consideration would be given to the question during the year. I was wondering whether any consideration has been given to it by the commissioners or anybody else.

Mr. PAGE of North Carolina. Not so far as I know, I will say to the gentleman frankly. I recall the discussion about that in the current law a year ago, and I did not recall it in the hearings on this particular bill, and nothing was said about it in the hearings, and I know nothing about what has been done.

Mr. MADDEN. Of course, I do not know how many horses are used on the streets of the District of Columbia now—perhaps not as many as formerly—and it is altogether likely there are not many dead animals to be removed.

Mr. PAGE of North Carolina. I assume there are not a great many, for the amount of money expended is less than \$3,000.

Mr. MADDEN. It seems to me there ought to be some effort made to derive a revenue from the removal of dead animals from the streets.

Mr. PAGE of North Carolina. I agree with the gentleman, and yet I think, as I suggested to him when this matter was under discussion in the former bill, that Washington is somewhat differently situated from a commercial city, and I do not know of my own knowledge whether there is any establishment—

Mr. MADDEN. There may not be—

Mr. PAGE of North Carolina. In reach of the city of Washington that utilizes material of this sort.

Mr. MADDEN. I should think that somewhere down along the Potomac River they would have a glue factory.

Mr. PAGE of North Carolina. I was going to say it would be so far out it might overcome the value of the animals.

Mr. MADDEN. In other cities they load these animals onto scows and tow them down to some waterway or other to an outlying place, where they utilize the carcasses for different purposes, and they pay not less than \$5 for each animal for the privilege of moving it.

Mr. PAGE of North Carolina. I realize that in most cities that is true, and I think the gentleman will agree with me that in most cities there is a greater necessity, both because of the numbers of horses and the necessity for utilizing these carcasses.

Mr. BENNET. If the gentleman will yield, I would like to ask him whether there is any attempt in the city of Washington to reclaim any of this waste other than that mentioned by the gentleman from Illinois?

Mr. PAGE of North Carolina. No, sir. The cleaning of the streets, as the gentleman knows, and the removal of the refuse in the city of Washington is done by contract.

Mr. BENNET. Yes.

Mr. PAGE of North Carolina. And, so far as I am informed, there is no revenue from any of this refuse, either garbage, trash, or street cleanings, or other things, except, I believe I can say, or my impression is, that the street sweepings are utilized by the District and carried down the river to the workhouse, where we have a farm, and in that way the manure that is taken from the streets is utilized by the District.

Mr. BENNET. In our city, and I do not doubt it is also true in Chicago, the refuse is carefully divided before it is collected and the rags are collected in one way, the paper in another, and the ashes in still another.

Mr. PAGE of North Carolina. It is so here, also. There are separate contracts.

Mr. BENNET. And when those get to the place of disposal, where they will be loaded, in our city, on scows, they are gone over by men. And there is a man who pays the city of New York—I think it is—\$85,000 for the privilege of going over the ash scows, and what he gleanes out of those ash scows presumably pays him a respectable profit, because it is let out by competitive bidding.

Mr. PAGE of North Carolina. Is that done in New York by contract or is it done by the city?

Mr. BENNET. The cleaning?

Mr. PAGE of North Carolina. Yes.

Mr. BENNET. It is done by the city.

Mr. PAGE of North Carolina. I will say to the gentleman that my own opinion about those matters is that here in the city of Washington, instead of making the contracts for the removal of garbage, ashes, papers, rags, and street cleanings, and other things, the city ought to have a garbage-disposal plant where all these by-products could be utilized. But the gentleman has seen enough to-day and in his experience to know that I could not bring it in on this bill and make it law. But I think there is a necessity for establishing a garbage-disposal plant for the city of Washington for this reason: Under the contract made now the term is for five years, and necessarily in their contract price the contractor estimates for the cost of some kind of plant for the disposal of this garbage. In other words, the taxpayers of the District and the Government must pay for a plant of some kind that is written off in every new contract of five years. It is not a permanent plant or it is not such a plant as the city ought to construct—a permanent plant—and yet it has to pay for that plant during the life of the contract, because it is not known whether he is going to renew the contract. There is every argument, in my mind, for a city-disposal plant, but it has been impossible to legislate for it.

Mr. BENNET. Does the gentleman understand whether the Commissioners of the District of Columbia, either the present commissioners or prior commissioners, have recommended anything of the kind?

Mr. PAGE of North Carolina. The present commissioners have recommended it, and I think the Board of Commissioners prior to this board also recommended it.

Mr. BENNET. So if there is anybody at fault it is Congress?

Mr. PAGE of North Carolina. This particular body. It is not the fault of the commissioners?

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last three words; and if no member of the committee objects, I would like to return to the previous paragraph in order to get a little more information from the gentleman.

Mr. PAGE of North Carolina. I have no objection to returning for information if I can give it.

Mr. GREEN of Iowa. Is there any enforceable ordinance in this city requiring the removal of snow from the sidewalk by the owners of abutting property?

Mr. PAGE of North Carolina. My understanding is, as a property owner in the District and not as a legislator, not being able to refer the gentleman to the act, that there is a provision requiring the removal of snow from the sidewalk in front of the property by the owner of the property within a certain length of time—I do not recall what—after a storm has ceased.

Mr. GREEN of Iowa. Is it the understanding of the gentleman that any of the money appropriated by the previous paragraph is to be used in removing the snow from the sidewalks where property is occupied by persons?

Mr. PAGE of North Carolina. No; I do not think any of it is expended in that direction. It is not certainly so intended. It is for the removal from the street or abutting Government or District property.

Mr. GREEN of Iowa. We have done so much for the citizens of this city that most of them do not remove the snow from the sidewalks?

Mr. PAGE of North Carolina. The Metropolitan police are lenient to the gentleman and others who do not remove it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Playgrounds: For maintenance, equipment, supplies, tools, construction of toilet facilities, wading pools, installation of telephones and telephone service, grading, and repairs, including labor and materials, and transportation of materials, maintenance and repair of storehouse, and necessary incidental and contingent expenses for all playgrounds, under the direction and supervision of the commissioners, \$18,500.

Mr. PAGE of North Carolina. Mr. Chairman, on page 39, line 22, the letter "r" is omitted from the word "under," at the end of the line. I suggest that it be inserted.

The CHAIRMAN. The gentleman from North Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend page 39, line 22, by inserting the letter "r" at the end of the line.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For salaries: Supervisor, \$2,500; inspector of playgrounds, \$1,200 (transferred from per diem roll); clerk (stenographer and typewriter), \$900; to be employed not exceeding 10 months—17 directors of playgrounds or recreation centers at \$65 per month each, assistant director at \$60 per month, general utility man at \$60 per month; to be employed not exceeding seven months—two assistant directors at \$60 per month each, assistant director at \$50 per month; to be employed not exceeding three months—assistant director at \$60 per month, 17 assistants at \$45 per month each; watchmen to be employed 12 months—17 at \$50 per month each; in all, \$30,715.

Mr. FESS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. FESS. I do so for the purpose of asking the chairman of the committee in charge of the bill whether the playground administration is under the direction of the school board or directly under the commissioners?

Mr. PAGE of North Carolina. It is directly under the commissioners, through the superintendent of the playgrounds.

Mr. FESS. Is the superintendent of the playgrounds appointed by the commissioners?

Mr. PAGE of North Carolina. He is appointed by the commissioners; yes, sir.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

In all, for playgrounds, \$52,415.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. BORLAND. I do not know whether there is a plan contemplated for putting the school playgrounds and the general playgrounds under the direction of the school board or not, but it seems to me there ought to be. We have now two sets of playgrounds, those connected with the schools and those under the supervisor of playgrounds.

Here is a provision, a very necessary one, passed without a point of order being made against it, providing that the supervisor of playgrounds may accept at his discretion the voluntary services of people interested in maintaining these playgrounds. It is a very necessary provision, but over on page 59, under the school provision, there is an item to the effect that no money shall be collected from the school children on the school property except for certain purposes, "for the promotion of school athletics, including school playgrounds, vocation schools, school gardens, school publications, and commencement exercises of high schools."

Now, it seems to me from personal observation that there has been a slight abuse of that section. If we are providing here an appropriation for playgrounds which Congress thinks is ample for that purpose, and then in addition to that are willing to accept voluntary services of anybody else who is willing to help, it does not seem to me that there ought to be any collections of money from the children in the schools for the maintenance of these playgrounds. They ought to be maintained at public expense, or by the voluntary support of the people interested in playground management.

But there have been in the past a good many collections of this kind. As I remember, two or three times in the course of a year there will be tickets sold to moving-picture shows for the benefit of the playgrounds. That involves not only an expense to the families that buy the tickets, but it involves the children going out and selling the tickets, which I have always condemned and refused to permit being done by my own children. I do not think it ought to be done by the children.

That is not the only objection connected with it. Another objectionable feature is that there is generally a holiday or a half holiday declared in order to permit the children to attend these moving-picture shows. There are already a great many holidays in the District of Columbia. It is the only place I ever saw where they adjourned the schools in order to let the children see a circus parade and the only place I ever saw where they adjourned the schools to allow the children to see a moving-picture show. In addition to this they have other moving-picture shows which are supposed to have an educational value, but which, of course, displace the regular school lessons for the time being. I am old-fashioned enough to believe in the theory that reading and writing and arithmetic should be taught to the tune of a hickory stick. Moving-picture shows and other educational entertainments are usually learned by the children anyway, without any help, so that it does seem to me that this encouragement in the sale of tickets and the collection of money for playgrounds ought to be eliminated.

I do not intend to offer any amendment to this bill, out of consideration for the gentleman who has charge of it, but I do think that when the matter comes up, with a fair opportunity to consider it, we ought to eliminate that. We ought also to eliminate the permission to collect money for vocational schools. These vocational schools are thought by some to be very necessary, but if so they should be paid for out of the tax budget. There is no reason why they should be supported, in whole or in part, by voluntary contributions or by the proceeds of benefit performances for which tickets are sold by the children. As a matter of fact, these vocational schools are run by regular public-school teachers during the summer vacation, who get an additional compensation for running the vocational schools.

The District of Columbia is one of the few jurisdictions where teachers are paid 12 months in the year. Most teachers are paid 8 months in the year, or 9 months; but here they are paid throughout the 12 months. In other words, their time during the three summer months belongs to the people of the District of Columbia. There is no reason why the teacher should be paid an extra compensation, unless it is fixed by law, for any work done during those three summer months. I think we would have a perfect right to require them to do the work during the three summer months without extra compensation; but if we think not, and think that a certain proportion of the teachers ought to be employed during that extra time, and compensated for that extra time and work, that ought to be a matter of law, and not a matter to be provided for through collections made by the pupils or by the sale of tickets to benefit performances.

I can easily understand, and every man here can understand, how liable that system is to abuse, because the money that is collected for these playgrounds and educational entertainments goes in many cases to some of the teachers who are interested in propagating this plan. It is a thing that we ought not to permit unless we regulate it by law. And if it were not, as I say, that the gentleman in charge of the bill has drawn a very good bill and is anxious, naturally, that it should not be delayed by amendment, I would proceed to argue that plan and submit amendments. I am not going to do it, but I simply call attention to what I consider a grave abuse in that respect.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For the erection of a brick or concrete storehouse on land belonging to the District of Columbia, to be used for the storage of material and supplies of the electrical department, including the inclosing, grading, and improving of the ground, \$7,500.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Did we not carry this item for a big storehouse in the current law?

Mr. PAGE of North Carolina. No; that is carried in the current law.

Mr. MANN. This is the new item?

Mr. PAGE of North Carolina. Yes.

Mr. COOPER of Wisconsin. I should like to ask the chairman of the committee if there ought not to be some description of the land on which it would be possible to locate this brick or concrete storehouse? The language of this paragraph would allow somebody in his discretion to locate it on any land belonging to the District of Columbia.

Mr. PAGE of North Carolina. I think the committee elicited the information in the hearings as to the proposed location of this storehouse, and it was in such a place that they did not think a description of it would be necessary. It is in a rather out-of-the-way place. I will say to the gentleman that there was a provision in last year's bill for the erection of this warehouse, but it was withdrawn before the bill became a law, because of the objection of the people who lived in the block. For that reason we asked some questions this time as to the loca-

tion of the storehouse, and another site has been selected on the south side of Garfield Park, on a tract of land that abuts on the railroad, down in a section where there are practically no residences and no buildings.

Mr. COOPER of Wisconsin. That is very true, in so far as the understanding of the committee is concerned. Yet there is nothing obligatory in the language of the bill itself. That would leave it entirely to the discretion of somebody to locate it anywhere on land in the District of Columbia belonging to the government.

Mr. MANN. To the District of Columbia.

Mr. PAGE of North Carolina. Belonging to the District government; not belonging to the General Government.

Mr. COOPER of Wisconsin. That is what I mean.

Mr. PAGE of North Carolina. The land within the District of Columbia belonging to the District government is not very extensive. There are a few lots here and there, but this place certainly would not be objectionable, and I do not think the District owns land where it would be objectionable.

Mr. COOPER of Wisconsin. Mr. Chairman, more and more in municipalities is arising the question of restricting the possible location of public buildings of any kind that could seriously injure the private property of citizens.

Mr. PAGE of North Carolina. I think very properly so.

Mr. COOPER of Wisconsin. Yes; because some poor man, a mechanic, or somebody else not making much money, might put practically the savings of a lifetime into a dwelling, and then, without any inhibition in the law, some building might be erected which would destroy its value as a dwelling, make it impossible for him to sell it, and so rob him practically of his life savings.

Mr. PAGE of North Carolina. That is true.

Mr. COOPER of Wisconsin. One illustration right in this city has been brought to my attention within the past few days, a case where an apartment house was so built as to obstruct the view of two residences, and so very seriously to injure their value for residential purposes. Without a building line and without any sort of restriction injuries of that kind can be wrought constantly. I was told last fall of a case in a large city in my own State where a manufacturing firm has, in the residential district of the city, within recent months put up a repair shop close to some private residences and really ruined their value as dwellings.

Mr. PAGE of North Carolina. I will say to the gentleman in that connection that, while the exact location of this electrical supply storehouse is not described here, there is an understanding between the engineer commissioner and the committee, who have held these hearings, as to where it shall be constructed, and none of the objections urged by the gentleman from Wisconsin [Mr. COOPER] can possibly obtain against the location which he has selected.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn and the Clerk will read.

The Clerk read as follows:

The Washington Railway & Electric Co. and the Brightwood Railway Co. are directed and required to remove all of the poles and overhead wires owned and used by them on Georgia Avenue from Florida Avenue to Rock Creek Church Road NW., and to install a nongrounded metallic circuit underground trolley system in lieu of the overhead trolley system of propulsion on the street railway lines owned and operated by said companies on said portion of Georgia Avenue. The Potomac Electric Power Co. and the Chesapeake & Potomac Telephone Co. are directed and required to remove all of the poles and overhead wires owned and used by them on said Georgia Avenue from Florida Avenue to Rock Creek Church Road NW. The removal of the said poles and wires and the construction of the said underground trolley system shall be upon plans to be approved by the Commissioners of the District of Columbia, and shall be completed within one year after the date of approval of this act: *Provided*, That if any or all of said companies shall fail or neglect to remove such poles and wires, or shall fail or neglect to complete such underground construction within one year after the approval of this act, the said companies, and each of them, shall forfeit and pay to the District of Columbia the sum of \$100 for each day of such failure or neglect.

Mr. FOCHT. Mr. Chairman, I make a point of order against this paragraph. I think the gentleman will concede that it is new legislation.

Mr. PAGE of North Carolina. I concede the point of order. It is well taken.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

The Potomac Electric Power Co. is directed and required to remove all of the poles and overhead wires owned and used by it on Water Street, between Sixth and Fourteenth Streets SW., and on all reservations and public spaces adjacent thereto, and to install suitable and sufficient underground conduits, conductors, and appliances in lieu thereof. The removal of said poles and wires and the replacement thereof by underground constructions shall be upon plans to be approved by the Commissioners of the District of Columbia, and shall be completed within one year after the date of approval of this act: *Provided*, That if said company shall fail or neglect to remove such poles and wires, or shall fail or neglect to complete such underground con-

struction within one year after the approval of this act, said company shall forfeit and pay to the District of Columbia the sum of \$100 for each day of such failure or neglect.

Mr. FOCHT. I make the point of order against that paragraph.

Mr. PAGE of North Carolina. Mr. Chairman, I should like to inquire of the gentleman just what his point of order is.

Mr. FOCHT. The point of order is that it is new legislation, which I think the gentleman himself will concede does not belong in this bill, but that another committee has jurisdiction of it.

Mr. PAGE of North Carolina. I concede that it is new legislation, not already authorized by law.

The CHAIRMAN. The point of order is sustained.

Mr. SHERLEY. Mr. Chairman, I should like to ask the gentleman the reason for these provisions. They seem to be very much in the interest of the public, and of the beautification of Washington.

Mr. PAGE of North Carolina. I will answer the gentleman's question. Of course this subcommittee, in putting legislative provisions into this bill—

Mr. MANN. A parliamentary inquiry.

Mr. PAGE of North Carolina. Yes.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MANN. What is now pending before the committee?

The CHAIRMAN. There is nothing pending. The Chair sustained the point of order.

Mr. MANN. I thought the gentleman from North Carolina wanted to get through with the bill.

Mr. PAGE of North Carolina. I do. Let the Clerk read.

The Clerk read as follows:

PUBLIC SCHOOLS.

Officers: Superintendent, \$6,000; assistant superintendents—1 \$3,500, 1 \$3,000; director of intermediate instruction, 13 supervising principals, supervisor of manual training, and director of primary instruction, 16 in all, at a minimum salary of \$2,200 each; secretary, \$2,000; clerks—1 \$1,600, 1 \$1,400, 4 at \$1,000 each, 1 (to carry out the provisions of the child-labor law), \$900; 2 stenographers, at \$840 each; messenger, \$720; in all, \$60,000.

Mr. COOPER of Wisconsin. Is it the understanding that at the end of the reading of the bill there is to be an amendment proposed increasing the pay of the smaller-paid clerks 10 per cent, or whatever the amount may be?

Mr. PAGE of North Carolina. That is practically the same provision that was adopted by the House yesterday in connection with the legislative bill.

Mr. COOPER of Wisconsin. Does that include school-teachers?

Mr. PAGE of North Carolina. No, sir; it does not.

Mr. COOPER of Wisconsin. What others does it exclude?

Mr. PAGE of North Carolina. It excludes the Metropolitan police, the fire department, and the public schools.

Mr. COOPER of Wisconsin. Will it be so drawn that there will be no opportunity to move to amend it to include anyone else?

Mr. PAGE of North Carolina. There is no rule, and all I can say to the gentleman is that he will recognize that the amendment is subject to a point of order, and if the point of order is made the gentleman submitting it is helpless, but being submitted and no point of order is made against it, it will be open to amendment, of course, under the rules of the House.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Assistant principal, who shall be dean of girls of the Central High School, \$1,800: *Provided*, That hereafter said assistant principal shall be placed at a basic salary of \$1,800 per annum, and shall be entitled to an increase of \$100 per annum for five years.

Mr. MANN. Mr. Chairman, I make the point of order against the language in this bill so far as it covers the word "hereafter."

Mr. PAGE of North Carolina. Mr. Chairman, I concede the point of order, of course, and shall not contest it.

The CHAIRMAN. The point of order is made to the word "hereafter"?

Mr. MANN. Yes; to the word "hereafter."

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Directors of music, drawing, physical culture, domestic science, domestic art, kindergartens, and penmanship, seven, at \$1,500 each: *Provided*, That hereafter the director of penmanship, who shall be an instructor in the normal school and a director in the grades, shall be placed at a basic salary of \$1,500 per annum, and shall be entitled to an increase of \$100 per annum for five years.

Mr. MANN. Mr. Chairman, I make the point of order to the word "hereafter," in line 19.

Mr. PAGE of North Carolina. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Assistant director of primary instruction, \$1,500: *Provided*, That hereafter the assistant director of primary instruction now in the

service of the public schools, or hereafter to be appointed, shall be placed at the basic salary of \$1,500 per annum, and shall be entitled to an increase of \$50 per annum for five years.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. How long has this provision, if the gentleman remembers, been carried in the appropriation act?

Mr. PAGE of North Carolina. My recollection is that this was carried in the current law for the first time; that this was created in the current law.

Mr. MANN. Then this assistant director is getting, under the law, an increase of \$50 a year, and would for five years?

Mr. PAGE of North Carolina. Yes.

Mr. MANN. He is not satisfied with that, but wants to get two increases.

Mr. PAGE of North Carolina. That happens very often in the peculiar plan of increase under the law for the teachers in Washington.

Mr. MANN. I do not remember many cases where appropriation bills expressly provide for the increase of salary in one way and then take another turn and provide for an increase in another line. I do not think it is quite a fair proposition.

Mr. PAGE of North Carolina. I am informed by the Clerk that she receives longevity pay under the current law.

Mr. MANN. If the provision remains in the bill without the word "hereafter" and without increase of basic salary—the gentleman says "she"; I did not know whether it was a male or female—would receive the annual increase. But if you increase the basic salary she would receive the annual increase; that is, two increases. No doubt the money can be profitably used by the person; still it seems to me that under the circumstances one increase is sufficient. I make the point of order against the word "hereafter" and against the salary of \$1,500.

Mr. PAGE of North Carolina. There are two hereafters in the paragraph.

Mr. MANN. I refer to the word "hereafter" in line 25, and also to the amount of \$1,500 in line 3, page 47.

The CHAIRMAN. The Chair sustains both points of order.

Mr. PAGE of North Carolina. Mr. Chairman, I move to amend by inserting in line 3, page 47, "\$1,400."

Mr. MANN. And the same in line 24.

Mr. PAGE of North Carolina. And in line 24, page 46.

The CHAIRMAN. The gentleman from North Carolina offers two amendments, which the Clerk will report.

The Clerk read as follows:

Page 46, line 24, strike out "fifteen hundred" and insert "fourteen hundred." Page 47, line 3, at the beginning of the line, insert "\$1,400."

The CHAIRMAN. Without objection, both amendments will be voted on together.

There was no objection.

The amendments were agreed to.

The Clerk read as follows:

Assistant directors of music, drawing, physical culture, domestic science, domestic art, kindergartens, and penmanship, seven, at \$1,300 each: *Provided*, That hereafter the assistant director of penmanship, who shall be an instructor in the normal school and an assistant director in the grades, shall be placed at a basic salary of \$1,300 per annum and shall be entitled to an increase of \$50 per annum for five years.

Mr. MANN. Mr. Chairman, I make a point of order against the word "hereafter" in line 7.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Conduit Road, Chain Bridge Road, and Fort Slocum Schools: Three janitors, at \$150 each; in all, \$450.

In all, \$177,650.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman in charge of the bill a question. How many public schools are there in the District of Columbia?

Mr. PAGE of North Carolina. They are all enumerated in this schedule. I have not counted them.

Mr. BENNET. By a very rough count I made 120. Can it be possible that there are that many schools in the District of Columbia?

Mr. PAGE of North Carolina. Yes; I think probably more than that rather than less. They are all enumerated by name in this schedule, and then there are some portable schools that are not enumerated.

Mr. BENNET. No one can ever say that the education of the children of the District is not properly cared for.

Mr. PAGE of North Carolina. I should think not, in a city with a population that Washington has and the number of schools provided.

Mr. BENNET. The gentleman from Kentucky [Mr. JOHNSON] says that, according to his recollection, there are 199 schools.

Mr. PAGE of North Carolina. The gentleman's recollection is in error. The number is much nearer that stated by the gentleman from New York.

Mr. FESS. And there are about 2,000 teachers?

Mr. PAGE of North Carolina. Two thousand teachers.

Mr. MOORE of Pennsylvania. I would like to ask the gentleman if there is any school in the District for defective children?

Mr. PAGE of North Carolina. Yes; there are schools for children that are not of the average intellect, backward children.

Mr. MOORE of Pennsylvania. Backward children, they are called.

Mr. PAGE of North Carolina. Yes; defective and backward. They are cared for not in a separate school building, but in separate classes, because obviously the gentleman will see that to gather all of that class of children at one place in the District would work a great hardship on the parents of those children. They are taken care of in classes in the various schools scattered about the city.

Mr. MOORE of Pennsylvania. I have observed there is some agitation in the District with reference to the segregation of these children.

Mr. PAGE of North Carolina. With reference to the segregation of tubercular children, not of defective or backward children, in a separate school.

Mr. MOORE of Pennsylvania. Is a separate school now maintained for tubercular children?

Mr. PAGE of North Carolina. No.

Mr. MOORE of Pennsylvania. That, of course, would require a special open-air treatment?

Mr. PAGE of North Carolina. Of course. There has been recently by the health department and the school authorities some action taken excluding from the schools on medical examination tubercular children, but so far no provision has been made for the teaching of that child in a separate school.

Mr. MOORE of Pennsylvania. It frequently happens in other cities that backward children are taken out of the classes and otherwise provided for. I was interested to the extent of knowing whether when a backward child is discovered, a child that is unable to keep up with the ordinary classes, provision is made for it in the same school.

Mr. PAGE of North Carolina. There is provision made for that class of children, but just how extensively I do not know; but I know that such classes are maintained and provided.

Mr. MANN. I would say to the gentleman that with respect to tubercular children it would be cheaper and more humane to poison them than it would to do a lot of the things that are asked should be done.

Mr. PAGE of North Carolina. We have not done anything, I will say to the gentleman.

Mr. MOORE of Pennsylvania. Nothing has been done as to tubercular children?

Mr. PAGE of North Carolina. Absolutely nothing has been done. That is the matter that is now being agitated and for which no provision is made.

Mr. MOORE of Pennsylvania. I assume, of course, in line with the suggestion of the gentleman from Illinois [Mr. MANN], that there would have to be special treatment with respect to tubercular children; that is to say, it would have to be an open-air treatment in some form or other?

Mr. PAGE of North Carolina. I think not only an open-air treatment, but some provision would have to be made because of the character of these children and the homes from which they come, in the way of the provision of proper nourishment and possibly proper clothing. There are a number of things involved in this question that is just now beginning to be agitated.

Mr. MOORE of Pennsylvania. I am glad to have the gentleman's answer with respect to defective children, because it has happened in other cities that children that ought to have a fair chance in the world, although behind in their classes, are rather roughly pushed aside, when they ought to have special consideration.

Mr. PAGE of North Carolina. I agree with the gentleman, and while I do not know that it is being done to the extent to which it should be done, yet there is an effort being made to carry out that work by forming classes of these backward children.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. FESS. Investigation indicates that backward children are not necessarily mentally defective, but they are slow to learn, and under expert teachers many of them come to very large degrees of achievement.

Mr. PAGE of North Carolina. The gentleman noticed I met the gentleman's statement as to backward children by using both terms—backward and defective. Because a child is backward does not mean that he is necessarily defective.

Mr. FESS. And usually the school boards, and I think this one, undertake to employ the very best teacher for that particular group of pupils that can be found anywhere.

Mr. PAGE of North Carolina. If they do not, they should.

Mr. FESS. They do.

Mr. BENNET. Mr. Chairman, I move to strike out the last two words. There is the backward child and the defective child and then the ungraded child, the child that comes from some State where they have a different system, or the child that comes from a private school. Is there any class anywhere in the District of Columbia that takes care of them?

Mr. PAGE of North Carolina. I do not know of any. I think those children are graded up as best possible. Of course the child will naturally come to its own level, in which he finds he can make his way, and he is not put into a higher grade than one in which he can maintain himself.

Mr. BENNET. In New York we have a few classes that are called ungraded classes, where they take the normal child who has come from another jurisdiction and prepare him for an appropriate grade, so that he will not retard the grade or injure himself by being put into a grade into which he ought not to go. It is the gentleman's belief there is no such thing here?

Mr. PAGE of North Carolina. If there is any such thing, I am not familiar with it. I am inclined to think that there is no such provision made, but that these children are placed in the grade they most nearly fit and in which they can make their way.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For care of smaller buildings and rented rooms, including cooking and manual-training schools, wherever located, at a rate not to exceed \$72 per annum for the care of each schoolroom, other than those occupied by atypical or ungraded classes for which service an amount not to exceed \$108 per annum may be allowed, \$10,000.

Mr. PAGE of North Carolina. Mr. Chairman, I call the attention of the gentleman from New York to the paragraph just read. It seems there is an attempt made to do just what we were discussing.

Mr. BENNET. That answers my question thoroughly.

The Clerk read as follows:

For purchase of United States flags, \$900.

Mr. BENNET. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from North Carolina whether there is a law in the District of Columbia, such as there is in some States, including my own, I am glad to say, providing that the United States flag shall fly at all times on schoolhouses, or is that governed by the general law relating to public buildings?

Mr. PAGE of North Carolina. I think there is a law. At any rate, there is a flag on all public buildings and all school buildings of the District.

Mr. MANN. In some places it requires a law to incite patriotism, but here no such thing is required.

Mr. BENNET. I understand that they do not have flags on school buildings in Chicago.

Mr. MANN. Oh, the gentleman is mistaken about that. We are required by law to do it there, just as they are in New York.

The Clerk read as follows:

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including fixtures and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, and organizers, and employees of the day schools may also be employees of the community forums and civic centers, \$5,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I judge from this paragraph that the school board now has authority to give permission to organizations to use school buildings for municipal forums?

Mr. PAGE of North Carolina. Yes; they have, and now there are a number. The statement was made that there are 78 of these organizations known as social centers, with the permission, of course, of the board of education, being conducted in school buildings.

Mr. MANN. What does the Government pay in the way of services, teachers, and organizers? Do they pay some one to go and organize these?

Mr. PAGE of North Carolina. No; I think not. I think the payments represented to the committee under this appropriation, or any other that was at their disposal, was for light and janitor.

Mr. MANN. Oh, but it says, "Payments of janitor service, secretaries, teachers, and organizers." However, what I really wanted to get at is this: If this appropriation is agreed to, what necessity will there be to pass the bill that we had under consideration here on Monday last. Why is it not all covered by this?

Mr. PAGE of North Carolina. To be entirely frank with the gentleman from my point of view, there is no necessity, whether this went in or not—

Mr. MANN. I am not sure I quite agree with the necessity if this does not go in; but this being in, what is the necessity of the other. In other words, if the school board is doing a thing voluntarily in matters where they ought to have some discretion, what is the reason for binding them by a law?

Mr. PAGE of North Carolina. Being even more explicit in my answer, the subcommittee that framed and allowed this appropriation have in mind, under the present authority given the governing board of the schools of the District of Columbia, if they were given this appropriation it would not only obviate the necessity of the passage of the bill which was being considered a few days ago but would so appeal to those who were pushing that bill that they would stop and this would meet all that is now required.

Mr. MANN. I call attention to it—I was under the impression this item was subject to the point of order—so if anybody desired to specially pose as a representative of the other bill they might make the point of order now. Mr. Chairman, I will withdraw the point of order.

The Clerk read as follows:

Buildings and grounds: For continuing the construction of the new Eastern High School on the site purchased for that purpose, \$300,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Will the gentleman in charge of the bill kindly state whether provision is made in this bill for paying a teacher of practical printing?

Mr. PAGE of North Carolina. No, sir; there is no such recommendation included in the estimates made to Congress.

Mr. MOORE of Pennsylvania. Is practical printing taught in the public schools of the District?

Mr. PAGE of North Carolina. No; I think not, unless it is in what is known as the Business High School or the Manual-Training School; certainly not in the grade and grammar schools.

Mr. MOORE of Pennsylvania. On page 47 provision is made for certain principals of high and manual-training schools. They are referred to only in classes, so it is impossible from the reading of the bill to distinguish what occupations are taught.

Mr. PAGE of North Carolina. I will say to the gentleman there is no instruction in printing in the Washington public schools, the graded schools. I am inclined to think there is none even in the high schools or manual-training schools.

Mr. MOORE of Pennsylvania. If there had been such an instructor—I had been informed that practical printing has been taught, though I take the gentleman's word for it that practical printing is not taught here—

Mr. PAGE of North Carolina. If it is it has not come within my knowledge.

Mr. MOORE of Pennsylvania. The question arises whether a practical printer—that is to say, one experienced in practical printing—is in charge of that work.

Mr. PAGE of North Carolina. My answer is that there is none within my knowledge, and there is no teacher so designated as a teacher of the art of printing.

Mr. MOORE of Pennsylvania. I am frank to say it does not appear from a cursory reading of the bill that such a provision is made.

Mr. PAGE of North Carolina. I do not think there is any such provision made.

The Clerk read as follows:

Hereafter so much of any balance of appropriations remaining after the purchase of sites for buildings as is necessary to clean up, grade, drain, fence in, and place the sites in safe and suitable condition for the purposes intended may be used for such purpose.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. You provided last year the balance of appropriations for buildings authorized by the current law might be used to clean up the lot. I think that was perfectly proper. You propose to insert as a permanent law a provision under which Congress will have to appropriate money for the purchase of a site. Congress supposes the site is going to cost so much, but they paid the returns and ask for a greater sum with a view of doing what nobody will know in the way of improvements. That does not seem to me to be good legislation.

Mr. PAGE of North Carolina. Well, I shall not be offended if the gentleman makes the point of order. I agree with him that it is not good legislation.

Mr. MANN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having an excess of eight rooms shall have at least four exits. Appropriations carried in this act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one-half hour before until one-half hour after school hours.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. In line 8 should not the word "an" be "in." It should read "having in excess of eight rooms." I think that is what is meant.

Mr. PAGE of North Carolina. It should be "in excess" in line 8. It should be "in."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 60, line 8, strike out the word "an" and insert the word "in."

The question was taken, and the amendment was agreed to.

Mr. BENNET. Mr. Chairman, I would like to ask the chairman of the subcommittee another question. Lines 11 to 14 of this paragraph are intended to accomplish a very worthy purpose, but how, as a practical matter, is it ever going to be enforced?

Mr. MANN. It has been the law for 10 years.

Mr. PAGE of North Carolina. As a matter of fact, I will say to the gentleman, these school buildings are constructed so that the doors do open outward, and they have this number of doors. It is construed by the authorities of the District and those having charge of the construction of these buildings to be demanded.

Mr. BENNET. It is a sort of general instruction carried in the form of this bill?

Mr. PAGE of North Carolina. It is. It is really a limitation.

Mr. MANN. I remember when a hysterical wave swept over the town and the House, and they stuck this in. Of course, if there was a penal clause in connection with that, every school-teacher, every principal, every janitor, everybody connected with the school board, would have heavy fines to pay.

Mr. PAGE of North Carolina. Having the doors open half an hour after and before?

Mr. MANN. Yes.

Mr. PAGE of North Carolina. I was not referring to that in my reply to the gentleman from New York. But as to having the number of doors and having them open out—

Mr. BENNET. That is a physical fact that can be established by the inspection of the building.

Mr. PAGE of North Carolina. I do not know anything about the enforcement of this law as to keeping the doors open before and after school hours.

Mr. BENNET. It is like one of the "God-bless-our-home" mottoes on the wall.

Mr. MANN. It is very much like the movement in the House the other day to increase the clerk allowance.

The Clerk read as follows:

For instruction of indigent blind children of the District of Columbia, in Maryland or some other State, under a contract to be entered into by the commissioners, \$7,500, or so much thereof as may be necessary.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. I ask unanimous consent that I may have permission to extend my remarks on this subject.

The CHAIRMAN. The gentleman from California asks unanimous consent that he may have permission to extend his remarks in the Record. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I would like to ask if the gentleman intends to extend his remarks at this point in the proceedings or at the back of the Record?

Mr. RAKER. At the back of the Record. It is the custom of the House, and it has been agreed that where a man extends his remarks they should go at the end of the Record.

Mr. MOORE of Pennsylvania. It is a custom that is not always observed.

Mr. RAKER. It is a custom that has been observed pretty well. If it is not observed, I think the gentleman from Illinois [Mr. MANN] ought to see that it is observed, because I think it is right and proper that it should be carried out.

Mr. MOORE of Pennsylvania. A day or two ago it was not observed, and in a very conspicuous way. In the midst of a

discussion of a bill like this a gentleman asked permission to extend, and cut out four or five pages of pertinent matter in the Record with a speech entirely foreign to the discussion.

Mr. RAKER. If the gentleman refers to me—

Mr. MOORE of Pennsylvania. I did not refer to the gentleman.

Mr. RAKER. That is where my speech belonged, because it related to the amendment under discussion in the House, and I wanted it in the Record so that the Senate might have the context and the amendment together.

Mr. MANN. The Senate will not read the gentleman's speech, and it was not proper to insert it at that place in the Record under leave to print.

Mr. MOORE of Pennsylvania. The speech should have gone at the back of the Record. I have no objection if the extension appears there. I understand the gentleman intends to put this at the back?

Mr. RAKER. I do.

Mr. MOORE of Pennsylvania. Then I will not object.

The Clerk read as follows:

FIRE DEPARTMENT.

Chief engineer, \$3,500; deputy chief engineer, \$2,500; 4 battalion chief engineers, at \$2,000 each; fire marshal, \$2,000; deputy fire marshal, \$1,400; 2 inspectors, at \$1,080 each; chief clerk, \$2,000; clerk, \$1,400; 38 captains, at \$1,500 each; 40 lieutenants, at \$1,320 each; 40 sergeants, at \$1,200 each; superintendent of machinery, \$2,000; assistant superintendent of machinery, \$1,200; 27 engineers, at \$1,200 each; 27 assistant engineers, at \$1,100 each; 2 pilots, at \$1,150 each; 2 marine engineers, at \$1,200 each; 2 assistant marine engineers, at \$1,100 each; 2 marine firemen, at \$720 each; 40 drivers, at \$1,150 each; 40 assistant drivers, at \$1,100 each; 183 private of class 2, at \$1,140 each; 44 privates of class 1, at \$960 each; hostler, \$600; laborer, \$600; in all, \$596,460.

Mr. CARLIN. Mr. Chairman, I want to ask the chairman of the committee which of these items represents an increase in the pay of these men mentioned?

Mr. PAGE of North Carolina. Thirty-eight captains in the force are increased from \$1,300 to \$1,400; 40 lieutenants from \$1,200 to \$1,320. The grade of sergeant has grown from privates now receiving \$1,080 to \$1,200, and 183 privates are increased from \$1,080 to \$1,140. That is the increase with these active units in the fire department.

Mr. CARLIN. Has there been any increase in the engineers of the fire department?

Mr. PAGE of North Carolina. No.

Mr. CARLIN. Why not?

Mr. PAGE of North Carolina. In 27 engineers now receiving \$1,200 and 27 assistant engineers at \$1,100 each there is no increase.

Mr. CARLIN. Why not?

Mr. PAGE of North Carolina. Well, sir, if the gentleman has an amendment to offer—

Mr. CARLIN. I am asking why it is the committee saw fit to increase the salary of all the other employees and did not increase that of the engineers?

Mr. PAGE of North Carolina. I will say to the gentleman that there is some distinction between those who are engineers and the active fire fighters, and, in the judgment of the committee, there is a reason why they are entitled to get the increase more than the men in charge of the machines. And that appealing to the subcommittee, we made these increases and changes, thinking we were putting them more on a parity than they are at the present time.

Mr. CARLIN. Is it not a fact that the 10 per cent increase provided for all District employees covers all under \$1,200?

Mr. PAGE of North Carolina. Not in this department. The provision I have drawn, as I have said several times to-day in reply to inquiries of gentlemen—the amendment I shall offer at the end of the bill for percentage increases to the employees of the District excludes from the provision the Metropolitan police, the fire department, and the public schools.

Mr. CARLIN. The gentleman having increased the police and fire departments by specific items, of course it would not be necessary to include them in an amendment, but having omitted these few men, the engineers, would the gentleman include them?

Mr. PAGE of North Carolina. I will call to the gentleman's attention that the engineers in the department, under the same bill, are receiving the same as the sergeants in the department. I do not think they ought to be given a greater salary than that. I do not believe that the engineer is entitled to it.

Mr. CARLIN. They have always received a greater rate of pay until now, and you have increased the sergeants' pay.

Mr. PAGE of North Carolina. The gentleman will recognize that we have not had in this organization a sergeant before. Now we have sergeants, but we put them in for reasons of discipline and good organization, because privates have hereto-

fore been acting as sergeants, and while they had no additional pay they did not have the proper authority or the respect of the men under them. For that reason we thought it wise to create the position of sergeant, and we put that salary on an equality with the engineer.

Mr. CARLIN. They have no relation with each other, and can not be compared with one another.

Mr. PAGE of North Carolina. That may be a matter of opinion as to whether they can be compared with each other. They can be compared as to the service rendered. The committee did not feel that the class of employees that the gentleman is now referring to has the same claim, but, of course, as to the others, that is our judgment.

Mr. CARLIN. Is not this true, that if the amendment you propose to offer should pass, increasing the salaries of all other District employees, these will be the only employees of the District government who do not receive additional compensation?

Mr. PAGE of North Carolina. Oh, not at all. There are a great many of the Metropolitan police and people in the schools who will be in the same position.

Mr. CARLIN. I notice these increases seem to be along the line of about 10 per cent. Would the gentleman object to an amendment increasing them by that rate?

Mr. PAGE of North Carolina. I can not object if you offer them.

Mr. CARLIN. Mr. Chairman, I offer the following amendment to these particular items, beginning with line 13 of page 65. My amendment covers lines 13 and 14 of page 65.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARLIN:

Page 65, line 13: "An increase of \$120 a year for the 27 steam engineers, making a total increase of \$3,240."

"Twenty-seven assistant engineers at \$1,100 a year, an increase of \$100 a year, making a total increase of \$2,700."

"Two marine engineers at \$1,200, an increase of \$120 a year, making a total increase of \$240."

"Two assistant marine engineers at \$1,100 a year, an increase of \$100 a year, making a total increase of \$200."

Mr. PAGE of North Carolina. Mr. Chairman, I submit that that language is not in the proper form, and I reserve a point of order against the amendment.

Mr. CARLIN. I think the point of order is a good one. I shall move, as an amendment, that, on line 13, page 65, after the "\$1,200," it shall be made to read "\$1,220 each."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. CARLIN: Page 65, line 13, strike out the figures "\$1,200" and insert in lieu thereof "\$1,220."

Mr. CARLIN. Mr. Chairman, I mean "\$1,320."

Mr. PAGE of North Carolina. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. What is the gentleman's point of order?

Mr. PAGE of North Carolina. The point of order is that it increases a salary that is now in the law.

The CHAIRMAN. Changing existing law?

Mr. PAGE of North Carolina. Changing existing law.

The CHAIRMAN. What has the gentleman from Virginia to say about it?

Mr. CARLIN. If that be true, Mr. Chairman—

Mr. PAGE of North Carolina. Mr. Chairman, I make the point of order.

Mr. CARLIN. If that be true, and the gentleman is going to insist upon that, I am perfectly willing to get an expression from the House. I insist that these men are entitled to the increase that is given to every other employee of the District government, and I am content to rest there. If the point of order be good, it will be good as to all the other items in the bill, and we might as well have an adjournment now, so as to enable us to consider these things to-morrow morning.

Mr. PAGE of North Carolina. That does not lie. It is too late, Mr. Chairman.

The CHAIRMAN. That point of order comes too late. The point of order which the gentleman from Virginia intimates he would like to make would be good if made in time, but the question in the mind of the Chair now is this: In view of the fact that there are increases carried in this paragraph for some of these employees, is the point of order well taken when it is proposed to apply it to others? I suppose there is no question about it.

Mr. CARLIN. Mr. Chairman, I think we can arrange this thing satisfactorily. I perhaps misunderstood the purpose of the gentleman's amendment covering the general employees. It is 10 per cent to those under \$1,200 and 5 per cent to those

at \$1,200 and over. So I will make my amendment 5 per cent, and move to strike out "\$1,200" and make it "\$1,260." That is on page 65, line 13.

Mr. PAGE of North Carolina. I want to be fair to the House. I have no pets, and I have nobody in mind who would be affected by it. If we are going to do this, I suggest that, on line 12, page 65, the figures "\$1,200" be stricken out and "\$1,260" inserted therefor.

Mr. MANN. I shall make a point of order against any of these amendments.

The CHAIRMAN. The gentleman from North Carolina made a point of order against the amendment pending, proposed by the gentleman from Virginia [Mr. CARLIN]. The Chair sustains the point of order. Now the gentleman from Virginia offers another amendment, does he?

Mr. CARLIN. I understood the chairman of the committee offered this amendment.

Mr. PAGE of North Carolina. I began to offer an amendment, but if the gentleman from Illinois [Mr. MANN] is going to make his point of order against it, I have no purpose to move amendments merely in order to see them go out.

Mr. MANN. I have no objection, so far as I am concerned, against providing an increase for these people in the fire department who have no increase under the general provision. We propose to give an increase for one year. We propose to treat them all alike.

Mr. CARLIN. The gentleman admits that these persons of whom I am speaking are not included in the general increase at all?

Mr. MANN. Well, I do not know as to that; but if so, and because they are not included, is the gentleman trying to get them included permanently?

Mr. CARLIN. That would seem to be so, but I want them included in the annual appropriation bill if the gentleman from North Carolina will simply provide for them. That will suit me. And that will suit the gentleman from Illinois as well as myself.

Mr. PAGE of North Carolina. If the amendment does not go out on a point of order—and it is subject to a point of order—I can not control it; but if the gentleman will merely reserve his right until we have reached that place in the bill I think that matter can be adjusted.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. STEPHENS of Texas. Mr. Chairman, I move, in line 12, of page 65, to strike out the figures "\$1,200" and insert the figures "\$1,250" for the assistant superintendent of machinery.

Mr. PAGE of North Carolina. Mr. Chairman, I make the point of order against that. It is the same point of order that I made against the amendment of the gentleman from Virginia [Mr. CARLIN].

Mr. STEPHENS of Texas. I hope the gentleman will reserve his point of order. I wish to ask him a question.

Mr. PAGE of North Carolina. I reserve the point of order.

Mr. STEPHENS of Texas. I wish to ask the gentleman whether or not the increase that he proposes at the end of the bill will cover this salary?

Mr. PAGE of North Carolina. There is no proposition to increase by percentage or automatically anything in excess of \$1,800, either here or anywhere else.

Mr. STEPHENS of Texas. Is the gentleman aware that this was estimated for at \$2,250?

Mr. PAGE of North Carolina. Yes; I am aware that the commissioners asked for an increase in this particular item, but as it related to other employment, in other divisions and other departments of the Government, the committee did not think it was warranted and they did not allow it.

Mr. STEPHENS of Texas. Is the gentleman aware that this superintendent of machinery has under him the repair shop and the purchase of apparatus, and so forth, amounting to \$16,000, at the bottom of the next page?

Mr. PAGE of North Carolina. Yes; and I know of men in the District government who have the expenditure of \$1,000,000—a man in the purchasing division of the District government—

Mr. STEPHENS of Texas. But they are not required to run a shop, as this gentleman is.

Mr. PAGE of North Carolina. Oh, no; and probably this man is very glad to run it, instead of being one of those employed there and having some one else run it. I think possibly he has an advantage in that he does run it.

Mr. STEPHENS of Texas. I hope the gentleman will withdraw the point of order.

Mr. PAGE of North Carolina. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DALLINGER. I should like to ask the gentleman from North Carolina if I understand correctly that the amendment which he intends to offer does not apply to employees of the fire department whose salaries are under \$1,800 and under \$1,200, respectively?

Mr. PAGE of North Carolina. The amendment which I shall offer excludes from the increase of 10 per cent in the one case, and 5 per cent in the other, the employees of the Metropolitan police, the fire department, and the public schools.

Mr. DALLINGER. May I ask the gentleman his reason for excluding the employees of the fire department from these increases?

Mr. PAGE of North Carolina. Because in this particular bill we have increased practically all of the active units of the fire department fully 10 per cent.

Mr. DALLINGER. In this bill?

Mr. PAGE of North Carolina. In this bill.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

HEALTH DEPARTMENT.

Health officer, \$4,000; assistant health officer, \$2,500; chief clerk and deputy health officer, \$2,500; chief, bureau of vital statistics, \$1,800; clerks—1, \$1,600, 5 at \$1,200 each, 4 at \$1,000 each, 2 at \$900 each, 1 \$720; sanitary inspectors—chief \$1,800, assistant chief \$1,400, eight at \$1,200 each, 2 at \$1,000 each, 3 at \$900 each; food inspectors—chief \$1,800, assistant chief \$1,400, 3 at \$1,400 each, 5 at \$1,200 each, 6 at \$1,000 each, 5 at \$900 each; chemist, \$2,000; assistant chemist, \$1,200; director of bacteriological laboratory, \$2,500 (now on per diem roll at \$7); assistant bacteriologist, \$1,500; assistant bacteriologist, \$1,200; skilled laborers—1 \$720, 1 \$600; 2 messengers, at \$600 each; driver, \$600; poundmaster, \$1,400; watchman, \$600; laborers, at not exceeding \$50 per month each, \$2,400; in all, \$82,240.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. What is the occasion for these three new inspectors at \$1,400 each? Is it the necessity for more men, or is it to give a chance for promotions?

Mr. PAGE of North Carolina. It is the necessity for an increased number of employees; the representation being made to the committee not only this year, but last year, when we gave practically no increases, that the present force find it impossible properly to inspect the food and dairy products of the District.

Mr. MANN. Does the gentleman remember how many sanitary and food inspectors there are here?

Mr. PAGE of North Carolina. I do not remember the number.

Mr. MANN. There are about 30.

Mr. PAGE of North Carolina. Somewhere in that neighborhood.

Mr. MANN. Something like that, in a city which is not large.

Mr. PAGE of North Carolina. But I should like to call the attention of the gentleman to the fact that the inspectors go outside of the District, to dairies at a considerable distance from the city of Washington.

Mr. MANN. Oh, they do not go very often.

Mr. PAGE of North Carolina. I do not know how often.

Mr. MANN. That is mostly moonshine.

Mr. PAGE of North Carolina. I know that they do go, and that they inspect these dairies that furnish milk to the city of Washington.

Mr. MANN. Then you carry in this bill a director of the bacteriological laboratory at \$2,500. Of course, that is an increase in salary and a considerable increase.

Mr. PAGE of North Carolina. He is on the rolls now at \$7 a day.

Mr. MANN. Why is he not willing to stay there?

Mr. PAGE of North Carolina. I do not know but that he may be willing. The health officer of the District, who has charge of this particular activity, feels that this man's services are worth \$2,500. I do not know how the gentleman from Illinois may feel about it as a layman, but I want to say to him that I was not willing to stake my judgment as a layman against the judgment of professional experts in the inspection of milk and food for the inhabitants of the city and particularly children and babies.

Mr. MANN. If I had not been willing to put my judgment against a whole lot of experts the pure-food bill would never have become a law, but it did. I do not think I have to apologize for that. A raft of experts told us that it could not be done.

Mr. PAGE of North Carolina. The gentleman achieved a great deal in the pure-food law, and he is entitled to great credit for it.

Mr. MANN. I am not claiming any credit for it.

Mr. PAGE of North Carolina. The gentleman demonstrated that he was willing to risk his judgment in the formation of a law against that of experts. But I want to say that as against the department of health and the inspection of food and milk

for the District, I do not care to risk mine. I did exercise considerable judgment as to the estimate that was submitted. We did not allow all that they asked for. In some particulars we have increased it; we have increased the inspection force, and I think we are justified by the hearings.

Mr. MANN. Mr. Chairman, I make the point of order against the language in lines 11 and 12, "three at \$1,400 each"; and also line 14, "director of bacteriological laboratory, \$2,500 (now on per diem roll at \$7)"; also "assistant bacteriologist, \$1,500."

Mr. PAGE of North Carolina. Mr. Chairman, I have no desire to consume the time; I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Not less than 12 of the sanitary and food inspectors above provided for shall be employed in enforcement of milk and pure-food laws and regulations relating thereto and in the inspection of dairies and dairy farms.

Mr. MANN. Mr. Chairman, I make a point of order on the paragraph.

Mr. PAGE of North Carolina. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For maintenance of disinfecting service, including salaries or compensation for personal services when ordered in writing by the commissioners and necessary for maintenance of said service, and for purchase and maintenance of necessary horses, wagons, and harness, \$6,000.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman in charge of the bill for information about a paragraph on page 68. Is any part of this appropriation spent outside of the District of Columbia?

Mr. PAGE of North Carolina. There is none used outside the District of Columbia except in the inspection of dairy farms.

Mr. BENNET. They do follow the system of going into adjacent States to inspect dairy farms?

Mr. PAGE of North Carolina. Yes; where the dairy farms supply milk to this jurisdiction.

Mr. KING. Mr. Chairman, I move to strike out the last two words. I would like to get some information at this point. Last year I was residing at 225 B Street NE. Personally I do not care anything about the matter, but I noticed that there was a terrific stench rising within two squares of the Congressional Library. On investigation I found a certain dray firm in the city was keeping 45 head of horses within two squares of the Congressional Library, so that that section of the city was entirely covered by this stench. I called on the health department, and they investigated the matter and reported that they had no authority under the law to remove anything of the kind. The health officer claimed that they could keep horses anywhere in the District. As I understand it, it is reported on good authority that meningitis is caused by something that emanates from the horse. I want to inquire why it is that a thing of that kind can not be remedied on Capitol Hill?

Mr. PAGE of North Carolina. I do not know. I should have said that under the language of the bill and the general authority given to the health department they had power enough to abate a nuisance of the kind that the gentleman mentions. Whether they have the power to remove the keeping of horses or not, they have the power to see that the premises are kept in a sanitary condition, so that they will not produce a nuisance. I do not think there is any question about that. It is very likely a question of the exercise of power under the law.

Mr. KING. The gentleman believes that the nuisance could have been abated if the officer had done his duty?

Mr. PAGE of North Carolina. I think they could have used their power under the law to abate such a nuisance.

The Clerk read as follows:

For special services in connection with the detection of the adulteration of drugs and of foods, including candy and milk, \$100.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Is this \$100 all that is expended in the District of Columbia for the detection of the adulteration of drugs?

Mr. PAGE of North Carolina. Oh, no; there are several special acts, as I understand it, very drastic ones.

Mr. MOORE of Pennsylvania. Some newspapers here have made a specialty of investigating the sale of narcotic drugs?

Mr. PAGE of North Carolina. I am not familiar with the general law; but they have more appropriations than this.

Mr. MANN. The food inspectors are under the health officer.

Mr. PAGE of North Carolina. The pure food and drug act is as much applicable to the District of Columbia as to any other place, as well as the Internal-Revenue Service.

Mr. MOORE of Pennsylvania. Of course; but this matter of detection is a very important one to the District.

Mr. PAGE of North Carolina. This is for the purpose of allowing the commissioners a small sum of money by which they can send some person unidentified into places of business to buy these things in order that they may be inspected and tested in the laboratory. It is a provision that they may get hold of these things without sending an officer of the law who is known.

Mr. MOORE of Pennsylvania. I am glad to have the gentleman make that statement. While I am on my feet I want to say that it has been brought to my attention that the use of narcotic drugs is largely on the increase in the District of Columbia, and that this has been particularly so since the introduction of certain alleged reform laws in the District, which have tended to encourage vice and which, instead of suppressing vice and restricting it, have spread it over the District, into apartment houses and hotels and residential sections, where it ought not to exist. It has come to my attention with respect to the use of narcotic drugs, that they have had a very deleterious and serious effect upon the morals of certain of the young people in the District, and that that tendency has been on the increase. Of course, if this \$100 were all that was to be appropriated for the purpose of detecting this nefarious trade, I would ask that more money be appropriated.

Mr. PAGE of North Carolina. That has no relation whatever to the enforcement of those laws. It is merely for the purpose of aiding the commissioners in the enforcement of the law under other appropriations, to purchase these drugs or foods, as the case may be, in order that the investigation may be made.

The Clerk read as follows:

For the establishment and maintenance of a dispensary or dispensaries for the treatment of persons suffering from tuberculosis and of persons suffering from venereal diseases, including payment for personal service, rent, and supplies: *Provided*, That the commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized, \$12,500.

Mr. PAGE of North Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 71, line 24, after the word "authorized," insert:
"Provided further, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Will the gentleman state, if he knows, whether these dispensaries for the treatment of the diseases referred to are to be under the same roof? The diseases are of a vastly different character.

Mr. PAGE of North Carolina. I will say to the gentleman that they are not established at all yet. This is a new paragraph, and an effort on the part of the committee and of those in charge of the health of the District to establish and maintain a dispensary or dispensaries for the treatment of persons suffering from these diseases. It is not the purpose to retain patients having these diseases. They are intended to be really what the name calls for.

Mr. MOORE of Pennsylvania. For the dispensing of medicine?

Mr. PAGE of North Carolina. For the dispensing of medicine.

Mr. MOORE of Pennsylvania. The treatment of the two kinds of diseases would be so vastly different that they ought not to be put into juxtaposition.

Mr. PAGE of North Carolina. It is not the purpose to put them together, and therefore the plural, "dispensaries," is used.

Mr. MOORE of Pennsylvania. I call attention to it because it is rather anomalous that the situation should be stated as it is in the paragraph. I trust when the time comes to create these dispensaries, which I favor, the administrative department will have sense enough to have tuberculosis treated by itself, apart from any other disease.

Mr. PAGE of North Carolina. I think the gentleman, from his statement of the case, may rest assured that they will not treat these two diseases in the same place.

Mr. MANN. Mr. Chairman, I move to strike out the last two words. We have made pretty good progress to-day and we have now reached the courts. I think it would be a good idea to rise at this point.

Mr. PAGE of North Carolina. Well, Mr. Chairman, in view of the goodness not only of the gentleman from Illinois but other gentlemen during the day I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 19119 and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 6116) providing for the taxation of the lands of the Winnebago Indians and the Omaha Indians in the State of Nebraska.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 6116. An act providing for the taxation of the lands of the Winnebago Indians and the Omaha Indians in the State of Nebraska.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 1788. An act for the relief of Thomas M. Jones.

UNITED STATES SECTION INTERNATIONAL HIGH COMMISSION (H. DOC. NO. 1788).

The SPEAKER laid before the House the following message from the President of the United States, which was read as follows:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the report of the United States section of the International High Commission on the first general meeting of the commission held at Buenos Aires, April 3-12, 1916.

WOODROW WILSON.

THE WHITE HOUSE, December 20, 1916.

The SPEAKER. The message is referred to the Committee on Foreign Affairs and ordered printed, together with the accompanying documents.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. LAFEAN was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of H. Gipe (H. R. 12082), no adverse report having been made thereon.

EULOGIES ON THE LATE REPRESENTATIVE HUNTER HOLMES MOSS, JR.

Mr. WOODYARD. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the Clerk's desk and ask to have read.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

Ordered, That Sunday, the 28th day of January, 1917, be set apart for addresses on the life, character, and public services of Hon. HUNTER HOLMES MOSS, JR., late a Member from the State of West Virginia.

The question was taken, and the order was agreed to.

EXTENSION OF REMARKS.

Mr. BAILEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. BAILEY. To ask unanimous consent to extend my remarks in the Record on the subject of the impending deficit in the Treasury.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record on the impending deficit in the Treasury. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing an article written by Charles Harris Whitaker, editor of the Journal of the American Institute of Architects.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 56 minutes p. m.) the House adjourned until 12 o'clock to-morrow, Thursday, December 21, 1916.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Board of Managers, National Home for Disabled Volunteer Soldiers, transmitting statement showing typewriters exchanged by the National Home for Disabled Volunteer Soldiers during the fiscal year ending June 30, 1916 (H. Doc. No. 1780); to the Committee on Appropriations and ordered to be printed.

2. A letter from the president of the Board of Managers, National Home for Disabled Volunteer Soldiers, transmitting report of the Board of Managers of the National Home for Disabled Volunteer Soldiers for the fiscal year ending June 30, 1916 (H. Doc. No. 1781); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation for "General expenses, Federal Horticultural Board" (H. Doc. No. 1782); to the Committees on Agriculture and Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation for "General expenses, Bureau of Plant Industry, 1916" (H. Doc. No. 1783); to the Committees on Agriculture and Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting an urgent estimate of appropriation for contingent expenses of the Department of Justice for the fiscal year 1917 (H. Doc. No. 1784); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting urgent estimates of deficiencies in appropriations for the Postal Service, payable from the postal revenues, for the fiscal year 1917 (H. Doc. No. 1785); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting an urgent estimate of appropriation for miscellaneous expenses, Supreme Court of the District of Columbia, for the fiscal year 1917 (H. Doc. No. 1786); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Labor submitting urgent estimates of deficiencies in appropriations for the Department of Labor for the fiscal year ending June 30, 1917 (H. Doc. No. 1787); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STOUT, from the Committee on the Public Lands, to which was referred the bill (H. R. 16922) authorizing the Secretary of the Interior to sell and convey to the Great Northern Railroad Co. certain lands in the State of Montana for division terminal yards and other railway purposes, and for other purposes, reported the same with amendment, accompanied by a report (No. 1233), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 17605) to amend the first and seventh paragraphs of section 4414 of the Revised Statutes of the United States, as amended by the act of April 9, 1906, reported the same without amendment, accompanied by a report (No. 1235), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 17781) for the relief of Alexander F. McCollam, reported the same without amendment, accompanied by a report (No. 1234), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McLAUGHLIN: A bill (H. R. 19233) to increase the salary of the United States marshal for the western district of Michigan; to the Committee on the Judiciary.

By Mr. CAMPBELL: A bill (H. R. 19234) granting pensions to teamsters of the War of the Rebellion and Indian Wars from 1861 to 1869, inclusive; to the Committee on Invalid Pensions.

By Mr. CROSSER: A bill (H. R. 19235) for the establishment, maintenance, and operation of a municipal abattoir in the District of Columbia; to the Committee on the District of Columbia.

By Mr. OLDFIELD: A bill (H. R. 19236) to establish the Ozark National Park in the State of Arkansas, and for other purposes; to the Committee on the Public Lands.

By Mr. FORDNEY: A bill (H. R. 19237) for the construction of a public building at Belding, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. LEWIS: A bill (H. R. 19238) making available any post-office surplus for the fiscal year 1917 for the purchase of the telephone system of the District of Columbia; to insure the Government complete control of such means of communication in safeguarding its military and executive affairs within the seat of government; to provide a special telephone service to facilitate the direct sale of farm products to consumers in said District; to establish the efficiency and economy with which such service may be conducted by the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. MORGAN of Louisiana: A bill (H. R. 19239) granting the consent of Congress to the county of Pearl River, Miss., and the fourth ward of the Parish of Washington, La., to construct a bridge across Pearl River, Miss., between Pearl River County, Miss., and Washington Parish, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: A bill (H. R. 19240) to authorize a report upon the necessity for the construction of a diversion dam with a bridge superstructure across the Gila River on the Gila Bend Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. WILLIAMS of Ohio: A bill (H. R. 19241) to provide for the purchase of a site and the erection thereon of a public building at Barberton, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. HINDS: A bill (H. R. 19242) authorizing the sale of the land and building at Kennebunkport, Me., known as the old customhouse property, to the town of Kennebunkport, Me., for public-library purposes; to the Committee on Public Buildings and Grounds.

By Mr. EMERSON: Resolution (H. Res. 415) to have the Secretary of War report to Congress why the National Guard is held on the Mexican border; to the Committee on Military Affairs.

By Mr. HICKS: Resolution (H. Res. 416) authorizing the Committee on the Library to procure a portrait of former Speaker JOSEPH G. CANNON; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 19243) granting an increase of pension to Jefferson Cherry; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 19244) granting a pension to Calloway Roddy; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 19245) granting an increase of pension to Charles Price; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 19246) granting an increase of pension to George Hopper; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 19247) granting a pension to Irwin R. Troxell; to the Committee on Pensions.

By Mr. DIXON: A bill (H. R. 19248) granting an increase of pension to Frank J. Brolley; to the Committee on Pensions.

By Mr. DOREMUS: A bill (H. R. 19249) granting a pension to Charles Bruder; to the Committee on Pensions.

Also, a bill (H. R. 19250) granting an increase of pension to James L. McDougall; to the Committee on Pensions.

Also, a bill (H. R. 19251) for the relief of William J. Nagel, postmaster, Detroit, Mich.; to the Committee on Claims.

By Mr. EMERSON: A bill (H. R. 19252) granting an increase of pension to William Cobbledick; to the Committee on Invalid Pensions.

By Mr. FAIR: A bill (H. R. 19253) granting an increase of pension to Ann Jeremiah; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19254) granting a pension to William Littlejohn; to the Committee on Pensions.

By Mr. FINLEY: A bill (H. R. 19255) granting a pension to Raymond L. Thompson, insane; to the Committee on Pensions. By Mr. GOULD: A bill (H. R. 19256) granting a pension to Simon R. Thornton; to the Committee on Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 19257) granting an increase of pension to Catharine Kinder; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 19258) for the relief of David Crow; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 19259) granting a pension to Cornelius Whitby; to the Committee on Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 19260) granting a pension to Winfield H. Handley; to the Committee on Pensions.

By Mr. HOUSTON: A bill (H. R. 19261) granting an increase of pension to George W. Gilbert; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 19262) granting an increase of pension to Elizabeth Davison; to the Committee on Pensions.

By Mr. LAFEAN: A bill (H. R. 19263) granting an increase of pension to Emma R. Arnold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19264) granting an increase of pension to Christian Boll; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 19265) granting a pension to Rosella Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19266) granting an increase of pension to Charles Decanter; to the Committee on Invalid Pensions.

By Mr. LOFT: A bill (H. R. 19267) granting an increase of pension to Marian A. Jaques; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 19268) granting an increase of pension to Maggie Radabaugh; to the Committee on Invalid Pensions.

By Mr. McCLINTIC: A bill (H. R. 19269) granting an increase of pension to Elias Cleveland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19270) for the relief of David H. Mull; to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 19271) granting a pension to Joseph F. Feld; to the Committee on Pensions.

Also, a bill (H. R. 19272) granting an increase of pension to Edwin H. Mason; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 19273) granting an increase of pension to William H. Prior; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 19274) granting a pension to Henderson Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19275) granting an increase of pension to Thomas Hubbard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19276) to remove the charge of desertion from the military record of John Thacker; to the Committee on Military Affairs.

By Mr. RAINEY: A bill (H. R. 19277) granting an increase of pension to Thomas A. Weisner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19278) granting an increase of pension to Mary A. McManus; to the Committee on Invalid Pensions.

By Mr. RAYBURN: A bill (H. R. 19279) granting an increase of pension to Robert C. James; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 19280) granting a pension to Mary L. Stultz; to the Committee on Invalid Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 19281) for the relief of Henry Smith; to the Committee on Military Affairs.

By Mr. STEELE of Iowa: A bill (H. R. 19282) granting an increase of pension to Fernandus F. Hatfield; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 19283) granting a pension to Fanny Williams; to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 19284) granting an increase of pension to Alonzo Whitehouse; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 19285) granting an increase of pension to William A. Cale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19286) for the relief of Theophilus Nuzum; to the Committee on Military Affairs.

By Mr. WOODS of Iowa: A bill (H. R. 19287) granting an increase of pension to Daniel Gilligan; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 18919 for relief of William Hopkins; to the Committee on Pensions.

By Mr. BROWNING: Petition of post-office carriers and employees of Camden, N. J., asking increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. CALDWELL: Petition of sundry citizens of Long Island, N. Y., favoring bill prohibiting traffic of liquor in the District of Columbia; to the Committee on Alcoholic Liquor Traffic.

By Mr. CURRY: Petition of Sacramento Valley Improvement Association, of Sacramento, Cal., urging haste in the contemplation of the topographic map of the United States; to the Committee on Appropriations.

Also, petition of certain post-office employees of Richmond, Cal., in behalf of an increase in salary for post-office employees; to the Committee on the Post Office and Post Roads.

By Mr. ELSTON: Petition of Prof. Chauncey W. Wells, of Berkeley, Cal., relative to deportation of Belgians; to the Committee on Foreign Affairs.

Also, petition of postal employees of Berkeley, Cal., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. FESS: Petition of postal clerks of Xenia, Ohio, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of James S. Kirk & Co., of Chicago, Ill., opposing the abandonment of the pneumatic-tube mail service; to the Committee on the Post Office and Post Roads.

Also, petition of Bolger, Mosser & Willaman, of Chicago, Ill., favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Manufacturers' Association, for a new post office at Chicago; to the Committee on Public Buildings and Grounds.

By Mr. GREEN of Iowa: Petition of certain clerks and carriers of the Post Office Department, asking for an increase in their salaries; to the Committee on the Post Office and Post Roads.

By Mr. HADLEY: Petition of sundry employees of the Postal Service, asking for increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Memorial of James Moody, Melick Dodig, and the Jefferson County (Ohio) Liberal League, against prohibition in the District of Columbia; to the Committee on the Judiciary.

By Mr. IGOE: Petition of F. B. Eisman, of St. Louis, Mo., against bill for reinstatement of exchange charges on country checks; to the Committee on Banking and Currency.

Also, petition of 15 St. Louis (Mo.) business houses, urging bill granting relief to American manufacturers at Niagara Falls; to the Committee on Foreign Affairs.

By Mr. LITTLEPAGE: Petition of Charleston (W. Va.) post-office employees, asking for increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. McLEMORE: Petition of post-office employees of El Paso and Houston, Tex., asking increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. MILLER of Delaware: Petition of employees of the Wilmington (Del.) post office, asking an increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. MORIN: Three petitions of Lee S. Smith & Sons Manufacturing Co., the Republic Chemical Co., and Joseph M. Flannery, president Standard Chemical Co., all of Pittsburgh, in the State of Pennsylvania, in re authorization of Secretary of War to permit greater diversion of water at Niagara Falls; to the Committee on Foreign Affairs.

By Mr. NOLAN: Memorial of San Francisco Labor Council, against high cost of living; to the Committee on Interstate and Foreign Commerce.

By Mr. PARK: Petition of sundry citizens of Atlanta, Ga., favoring bill to exclude liquor advertisements from the mails; to the Committee on the Post Office and Post Roads.

By Mr. PARKER of New York: Petition of Branch 416, National Association of Letter Carriers, of Troy, N. Y., urging increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. RANDALL: Petition of employees of the post office at Whittier, Cal., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Papers to accompany House bill 19226, relating to pension of Charles N. Bacon; to the Committee on Invalid Pensions.

By Mr. TILSON: Petition of Branch No. 197, National Association of Letter Carriers, urging Congress to grant higher wages to postal employees, and calling attention to the high cost of living at New Haven, Conn.; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, December 21, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we desire to enter into sacred and holy communion with Thee that the path which lies before us in this day's service may be as the path of the just that shineth more and more to the perfect day. Thy kingdom is within us, and we desire to interpret the terms and qualities and forces of Thy kingdom in the outward acts of life, especially in this place of great influence and power. We desire to represent the highest interests of humanity in the name of God. Guide us to this end this day. We ask for Christ's sake. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gallinger	Martine, N. J.	Smoot
Beckham	Gore	Nelson	Sterling
Borah	Gronna	Newlands	Stone
Brady	Hardwick	Norris	Sutherland
Brandeggee	Hitchcock	Overman	Swanson
Bryan	Hollis	Page	Thomas
Chamberlain	Hughes	Phelan	Townsend
Chilton	James	Poinindexer	Underwood
Clapp	Johnson, S. Dak.	Pomerene	Vardaman
Clark	Jones	Reed	Wadsworth
Culbertson	Kenyon	Saulsbury	Walsh
Cummins	Kern	Sheppard	Watson
Curtis	Lane	Sherman	Weeks
Dillingham	McCumber	Shields	Williams
Fletcher	Martin, Va.	Smith, Ga.	Works

Mr. THOMAS. My colleague [Mr. SHAFROTH] is detained from the Chamber on account of illness. I will let this announcement stand for the day.

Mr. CLARK. I desire to announce the unavoidable absence from the city of my colleague [Mr. WARREN]. I will let this announcement stand for the day.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is unavoidably absent from the city. I will let this announcement stand for the day.

Mr. CHILTON. The Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family.

Mr. VARDAMAN. I have been requested to announce the unavoidable absence of the senior Senator from Louisiana [Mr. RANDELL] and the junior Senator from Louisiana [Mr. BROUSSARD] on account of illness.

Mr. MARTINE of New Jersey. I rise to announce the absence of the Senator from Illinois [Mr. LEWIS], owing to illness.

The PRESIDENT pro tempore. Sixty Senators have answered to their names. A quorum is present. The Secretary will read the Journal of the preceding session.

The Journal of yesterday's proceedings was read and approved.

PEACE OVERTURE.

Mr. STONE. Mr. President, I ask that the note sent by the President to the various European belligerent powers on Monday of the present week, which has been quite generally published this morning in the press of the country, and a copy of which I send to the desk, may be printed in the Record.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The note referred to is as follows:

[Telegram.]

THE SECRETARY OF STATE TO AMBASSADOR GERARD.

DEPARTMENT OF STATE,

Washington, December 18, 1916.

The President directs me to send you the following communication to be presented immediately to the Minister of Foreign Affairs of the Government to which you are accredited:

"The President of the United States has instructed me to suggest to the Imperial German Government a course of action

with regard to the present war which he hopes that the Imperial Government will take under consideration as suggested in the most friendly spirit and as coming not only from a friend but also as coming from the representative of a neutral nation whose interests have been most seriously affected by the war and whose concern for its early conclusion arises out of a manifest necessity to determine how best to safeguard those interests if the war is to continue.

"The suggestion which I am instructed to make the President has long had it in mind to offer. He is somewhat embarrassed to offer it at this particular time because it may now seem to have been prompted by a desire to play a part in connection with the recent overtures of the Central Powers. It has in fact been in no way suggested by them in its origin and the President would have delayed offering it until those overtures had been independently answered but for the fact that it also concerns the question of peace and may best be considered in connection with other proposals which have the same end in view. The President can only beg that his suggestion be considered entirely on its own merits and as if it had been made in other circumstances.

"The President suggests that an early occasion be sought to call out from all the nations now at war such an avowal of their respective views as to the terms upon which the war might be concluded and the arrangements which would be deemed satisfactory as a guaranty against its renewal or the kindling of any similar conflict in the future as would make it possible frankly to compare them. He is indifferent as to the means taken to accomplish this. He would be happy himself to serve, or even to take the initiative in its accomplishment, in any way that might prove acceptable, but he has no desire to determine the method or the instrumentality. One way will be as acceptable to him as another if only the great object he has in mind be attained.

"He takes the liberty of calling attention to the fact that the objects which the statesmen of the belligerents on both sides have in mind in this war are virtually the same, as stated in general terms to their own people and to the world. Each side desires to make the rights and privileges of weak peoples and small states as secure against aggression or denial in the future as the rights and privileges of the great and powerful states now at war. Each wishes itself to be made secure in the future, along with all other nations and peoples, against the recurrence of wars like this, and against aggression of selfish interference of any kind. Each would be jealous of the formation of any more rival leagues to preserve an uncertain balance of power amidst multiplying suspicions; but each is ready to consider the formation of a league of nations to insure peace and justice throughout the world. Before that final step can be taken, however, each deems it necessary first to settle the issues of the present war upon terms which will certainly safeguard the independence, the territorial integrity, and the political and commercial freedom of the nations involved.

"In the measures to be taken to secure the future peace of the world the people and Government of the United States are as vitally and as directly interested as the Governments now at war. Their interest, moreover, in the means to be adopted to relieve the smaller and weaker peoples of the world of the peril of wrong and violence is as quick and ardent as that of any other people or Government. They stand ready, and even eager, to cooperate in the accomplishment of these ends, when the war is over, with every influence and resource at their command. But the war must first be concluded. The terms upon which it is to be concluded they are not at liberty to suggest; but the President does feel that it is his right and his duty to point out their intimate interest in its conclusion, lest it should presently be too late to accomplish the greater things which lie beyond its conclusion, lest the situation of neutral nations, now exceedingly hard to endure, be rendered altogether intolerable, and lest, more than all, an injury be done civilization itself which can never be atoned for or repaired.

"The President therefore feels altogether justified in suggesting an immediate opportunity for a comparison of views as to the terms which must precede those ultimate arrangements for the peace of the world, which all desire and in which the neutral nations as well as those at war are ready to play their full responsible part. If the contest must continue to proceed towards undefined ends by slow attrition until the one group of belligerents or the other is exhausted, if million after million of human lives must continue to be offered up until on the one side or the other there are no more to offer, if resentments must be kindled that can never cool and despairs engendered from which there can be no recovery, hopes of peace and of the willing concert of free peoples will be rendered vain and idle.